REPORT RESUMES

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USING A QUESTION AND ANSWER FORMAT, THIS DOCUMENT ATTEMPTS TO EXPLAIN MANY FACETS OF THE PROBLEMS FACING THE SOUTH DAKOTA INDIANS, PARTICULARLY THOSE SIOUX INDIANS WHO HAVE RETAINED THEIR CUSTOMS AND CULTURE WHETHER LIVING ON OR OFF THE RESERVATIONS. A BRIEF HISTORY OF THE DACOTAH INDIANS AND THEIR EVENTUAL RESTRICTION TO RESERVATIONS PROVIDES THE BACKGROUND FOR THE INDIAN PROBLEM. THE DOCUMENT STATES THAT WHILE STATE AND FEDERAL GOVERNMENT AGENCIES HAVE BEEN CREATED WITH THE RESPONSIBILITY FOR WORKING TOWARD A SOLUTION OF THE INDIAN PROBLEM, AND TRIBAL GOVERNMENTS ON THE RESERVATIONS PROVIDE FOR SELF-GOVERNMENT AS A MEANS OF IMPROVING THE SITUATION, THE MAIN PROBLEMS WHICH CONFRONT THE INDIAN ARE STILL THE LACK OF ADEQUATE EDUCATIONAL AND EMPLOYMENT OPPORTUNITIES. (DD)

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Indians

of

South Dakota

RC 000 555

Indians of South Dakota

South Dakota Department of Public Instruction
Harold S. Freeman
State Superintendent

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By
John Artichoker, Jr.
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Prepared
by the
South Dakota Department of Public Instruction
Harold S. Freeman, State Superintendent,
in cooperation with the
South Dakota Indian Commission

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FORWORD

The State of South Dakota was created out of a portion of the historic and picturesque country once known as Dakota Territory. These lands were "home" to the fiercely proud and respected Sioux Nation of Indians which reigned over this vast area of virgin prairie, rolling hills and scenic wonders.

When the State was admitted to the Union in 1889, the Siouan peoples began shedding their "old way" of life and started walking "the White man's road". It has been a difficult road, but the courageous and determined Sioux people have made much progress down it. They have been earning their rightful place in the White man's society, and they have won the admiration and respect of their White neighbors.

Admittedly, the Sioux Indians have not yet attained the standard of living which they so richly deserve. But definite forward strides have been made and equality of opportunity is fast approaching.

This booklet explains some of the problems yet facing the Sioux Indians, and sets forth the manner in which the State of South Dakota is endeavoring to help them along this turbulent path.

JOE FOSS
Governor of South Dakota

FORWORD

Many years of experience in the field of education have convinced me that the Indian people of South Dakota will play an important part in the future of our state. This same experience further reveals the fact that few non-Indians know much about the Indians, their problems, or their status in our present day society. For these reasons the Department of Public Instruction was eager to offer its assistance in the preparation of this booklet.

We are certain that "Indians of South Dakota" will continue to be a valuable source of information. While this booklet will not solve the problems of the Indians it will help to reveal how complex the problems really are, and will enable more people to obtain a better understanding of them.

People who are acquainted with the problems of the Indians realize that there are certain problems which they must solve for themselves, others which can be solved by legislation, and still others by a better understanding on the part of the public. It is our sincere hope that this booklet will assist in bringing about this better understanding. For a number of years there has been a definite need for printed material of this type. We believe that "Indians of South Dakota" serves that purpose.

The State Department of Public Instruction is most happy to have had the opportunity to assist in this project. We believe that the preparation of this booklet has been a direct service to the people of South Dakota.

HAROLD S. FREEMAN,
Superintendent of Public
Instruction
Pierre, South Dakota

PREFACE

The information contained in this booklet deals with the problems confronted by that group of Indian people who remain culturally Indian. These are the people who have not become assimilated to the extent that they conform to present day standards. Nowhere in this booklet have we mentioned the many people possessing Indian blood who are fitting themselves into our present day society. We have not mentioned them because it is not necessary to present those who have had the opportunities to become accustomed to Western civilization. The only people discussed in this booklet are those who do not yet possess the training and skills needed to adapt themselves to our society.

The purpose of this booklet is to serve as a medium through which the public can become more familiar with some of the problems faced by the Indian citizenry. The report is not all inclusive, but it does attempt to answer many of the questions asked by those not familiar with the "Indian Problem". An attempt has also been made to relate the causes of the present problems to the past culture of the Dacotah.

The information in this booklet is from many sources and from many different people, without whom this report could not have been made possible.

Acknowledgement of the assistance given while writing and compiling this booklet is extended to: Mr. Leslie M. Keller, Branch of Education, Bureau of Indian Affairs; Mr. E. D. Barron, Attorney General's Office; Dr. Wesley R. Hurt, Jr., University of South Dakota; Mr. Will G. Robinson, State Historical Society; Miss Fern Chamberlain, Department of Public Welfare; members of the South Dakota Indian Commission; and to the many others who read the booklet and made constructive criticisms regarding the contents. Special acknowledgement is proffered to Mr. F. R. Wanek, Department of Public Instruction, for his wise counsel, and to Miss Ella Deloria from whose manuscript on Dakota culture patterns the material on vestiges was largely extracted, with her permission.

JOHN ARTICHOKER, JR.
Supervisor, Division of Indian Education
Department of Public Instruction

INTRODUCTION

At the 1949 session of the state legislature of South Dakota a bill was passed authorizing the formation of a State Commission of Indian Affairs. In addition to keeping the Legislature informed about the Indians from a state point of view, the object of the Commission is to help make the Indians in this state a part of our common life in every way possible, rather than allowing them to remain a minority group, separated in many ways from the rest of our citizenship. To this end the Commission has striven to bring together representatives of the different agencies which have to do, not only with our Indian people, but with our entire common life, and try and find a way in which we can work together to give the Indians the same opportunities, protection, and other assistance that we do for the rest of the people in the state.

Many of our conferences have been attended by the Commissioner of Indian Affairs, members of our Congressional Delegation in Washington, and federal, state, county and tribal officials of every sort. We have invited Indians to attend these conferences and to express their views.

This booklet has been prepared by the State Department of Public Instruction at the request of the Commission. These two agencies will assist in the distribution of the booklet in order that the people of this state may have a better opportunity to acquaint themselves with the background of our Indian people and therefore of the problems which they face as they strive to adapt themselves to a new way of life, one which they did not desire or seek, but was forced upon them.

The project "Indians of South Dakota" was assigned to the Supervisor of Indian Education in the State Department of Public Instruction. Mr. F. R. Wanek began the project, and after being transferred to another division in the Department, the responsibility of completing the project was assumed by his successor, Mr. John Artichoker, Jr.

W. BLAIR ROBERTS, Chairman
State Commission of Indian Affairs
(Retired Bishop of the Episcopal Church)
(Missionary District of South Dakota)

TABLE OF CONTENTS

Page

"DACOTAH LAND"

Who were the first people to inhabit what is now South Dakota? .. 1
Who were some of the people that followed these first inhabitants? . 1
What Indians lived in South Dakota prior to the "historical period"? .. 2
What was the first group of Indians that lived in South Dakota during the "historical period"? 3
When did the Dacotah arrive in South Dakota? 4
Where was the original home of the Dacotah? 4
Why did the Dacotah leave Minnesota and enter South Dakota? 4
Was the migration from Minnesota a mass movement? 5
What are these "bands" and how are they classified? .. 6
Did the Dacotah bands have to change their manner of living after moving out of the wooded areas and onto the plains? . 6
After the Dacotah occupied what is now South Dakota, what effect did the movement of pioneers have on their lives? .. 6
Were there any other Indians, besides those mentioned above, in South Dakota at any time? 7

"FROM DACOTAH TO SOUTH DAKOTA"

How was the land acquired for the State of South Dakota? 10
When did the treaty making period begin and end in the United States? . 10
When did the treaty making period begin and end with the Dacotah Nation? 10
What was the nature of the treaties after 1805? 11
What was the nature of other treaties after 1825? .. 11
What did the Dacotah Indians receive in return for the land that was ceded? 11
What land was ceded from 1825 to 1837? 11
What treaties were made after 1837? 13
What treaties were made in 1858? 15
What treaties established reservations in South Dakota, and what were the first reservations that were established? . 16
What agreements and Acts of Congress set up reservations in South Dakota? . 19
What is the difference between an "open" and a "closed" Indian Reservation? . 21
What are the "open" and "closed" reservations in South Dakota today? 22
What is the population of the Dacotah Indians in South Dakota? 22

STATE GOVERNMENT AND INDIAN AFFAIRS

What has been done on the state level to recognize the existing "Indian Problem" in South Dakota? 23
When was the South Dakota Indian Commission organized? 23
What is the purpose of the South Dakota Indian Commission? 23
Who are the members of the Indian Commission? 23
How are the members of the Indian Commission selected? 24
How often does the Indian Commission meet? 24
What have been the results of the meetings? 24
What is the Governors' Interstate Indian Council? 24
When did the Governors' Interstate Indian Council begin? 25
Has the Governors' Interstate Indian Council met regularly? .. 25
Has the State of South Dakota taken an active part in the Council? .. 25
What is the purpose of the Governors' Interstate Indian Council? ... 25

Page
What have been the accomplishments of the Governors' Interstate Indian Council? 26
What is the South Dakota Legislative Research Council? 26
What is the purpose of the Legislative Research Council? 27
What has been done by the Legislature to recognize the "Indian Problem"? 27
What has been accomplished? 27
Why is this an important phase of Indian Affairs in State Government? 27
What is the Institute of Indian Studies? 27
What is the purpose of the Institute of Indian Studies? 28
What have been the accomplishments of the Institute of Indian Studies? 28

FEDERAL GOVERNMENT AND INDIAN AFFAIRS

When did the relationship between the United States Government and the Indians begin? 29
Is the Federal Government responsible for handling Indian Affairs? 29
How does the Federal Government discharge services to the Indians? 30
When was the Bureau of Indian Affairs established? 30
What type of policy was established by the Bureau of Indian Affairs? 31
What are the primary areas of authority within the Bureau of Indian Affairs? 31
What are the functions of the various organizational levels of the Bureau? 31
What is the organizational structure of the Bureau of Indian Affairs? 32

TRIBAL GOVERNMENT AND INDIAN AFFAIRS

What form of government did the Indians have before the coming of the White Man? 35
Did the Indians have any form of government after they were placed on the reservations? 36
Did the Indian tribes in South Dakota organize after the Indian Reorganization Act was passed? 37
What is the purpose of tribal government? 37
How does tribal government function? 37
What is the jurisdiction of tribal government? 37

VESTIGES OF THE PAST AND MODERN PROBLEMS

Why is there an Indian problem? 39
Why does a change in culture create a problem? 39
What are some of the "vestiges" that retard the assimilation of the Indian? 39
Are "vestiges" of the old way of life the only factors that retard the assimilation of the Indian? 41

RURAL AND URBAN

Where do the Dacotah people live in South Dakota? 42
Why are there Indian reservations? 42
What is an Indian reservation like? 42
Are all the Indians on reservations living in poverty or near-poverty? 43
What are the living conditions of the Indian people on the reservation? 43
Is it true that Indians receive gratuity payments from the Government? 45
Is it mandatory that an Indian live on a reservation? 46
Do Indians leave their reservations permanently? 46
Where do Indians go after leaving the reservation? 46
What problems do the Indians face after leaving the reservation? 46

Page
What vocations do the Indians seek after leaving the reservation? 47
What problems are created by Indian people living off the reservation? 47
What conditions exist in towns into which Indians move? 47
What cities or towns in South Dakota have large Indian populations? 48
Why do so many Indians migrate to Rapid City? 48
Is anything being done to alleviate the problems existing in non-reservation areas? 48
Are any of the non-reservation communities making any effort to improve the conditions of Indian citizens? 49

ECONOMY OF THE DACOTAH

What was the ancient economy of the Dacotah? 50
What is the economic base of the reservation today? 50
Why is the land base insufficient to sustain the Indian people? 52
What are some of the problems concerning Indian land? 53
What is the average income of Indians in South Dakota? 54
In what fields do Indians engage? 54
Can native arts and crafts provide a livelihood for Indians on the reservation? 55
Is anything being done to employ Indians or train them so they can become employable? 55
What does the Employment Security Department do to assist Indian People? 55
What does the Division of Vocational Rehabilitation do to assist Indians? 56
What does the Branch of Relocation of the Bureau of Indian Affairs do to assist Indian people? 57
What future developments are there that may improve the economic conditions of the Dacotah people? 57

EDUCATION OF THE DACOTAH

What were the ancient methods of education among the Dacotah? 58
What was the type of educational program provided for Indians after White contact? 58
How was the first organized educational program for Indians begun by the United States Government? 59
When were the first educational opportunities made available to the Dacotah Indians? 60
Who is responsible for providing educational opportunities for Indians? 60
What type of schools does the government provide? 61
What is the difference between a boarding school and a day school? 61
What is the difference between a reservation and a non-reservation boarding school? 61
What criteria determine who may attend a boarding school? 61
If government schools are not available where do Indian children attend school? 62
How many Indian children attend school in South Dakota? 62
What denominations provide educational facilities for Indian students? 64
How does the Federal Government assist public schools? 65
Does the Federal Government assist the parochial schools in any way? 65
What type of educational program is offered by the three different systems? 65
Are facilities for educating Indian children adequate? 66
What is the long range program for Indian education? 67

Page

Has there been any progress in or accomplishments of the long-range program? 67
What are some of the problems of Indian education? 67
Where do Indians attend school for post high school education? 69
What problems confront the Indian person who attends college? 69
How do Indian students finance their education? 69
Do Indians have any other sources through which they can obtain needed finances? 70

HEALTH PROBLEM

Is there a health problem on South Dakota Indian reservations? 71
What is being done to combat this problem? 71
Who is responsible for providing health services to Indians on the reservation? 72
What are some of the health problems affecting the Dacotah Indians? 72

WELFARE PROGRAMS AND RELATED SERVICES

Did the Dacotah people, in their native state, have any form of "welfare program"? 75
Do cultural concepts create welfare problems today? 75
What welfare services are made available to the Indians in South Dakota? 76
What services are made available by the State of South Dakota? 76
What services are provided by the Indian Service, Branch of Welfare? 77
What welfare services are provided by the Tribal Councils? 78
What welfare services are provided by the county commissioners? 79
Are surplus commodities made available to Indian people?8 79
What are the problems connected with the administration of welfare programs among Indian people? 79

LAW AND ORDER

What type of law enforcement was used by the Indians before the coming of the White man? 83
What is the legal status of the Indian in relationship to state and federal laws? 83
With the conflicts of jurisdiction in mind, are there specific areas in which these various agencies can enforce laws? 83
Do Indian people receive adequate police protection on the reservation? 84
What legal problems concern Indian people on marriage and divorce? 85
Is an Indian subject to the game and fish laws of the State of South Dakota? 85
Does the Indian pay taxes? 85
BIBLIOGRAPHY 87

"DACOTAH LAND"

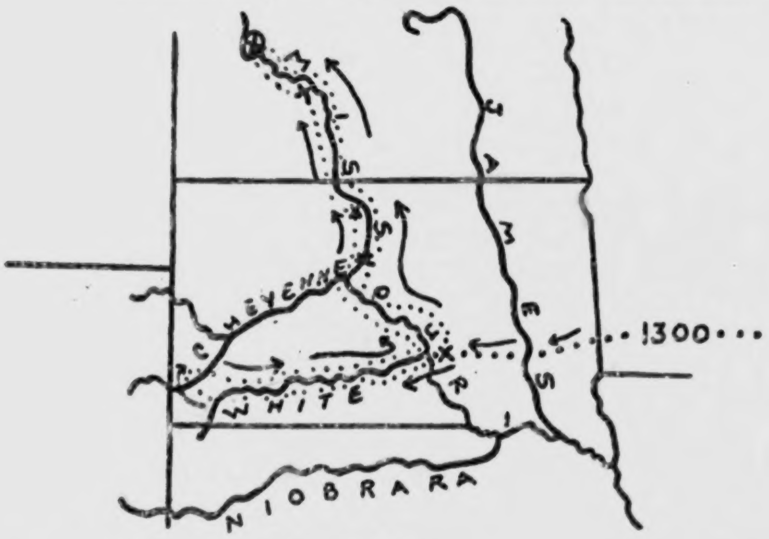
Who were the first people to inhabit what is now South Dakota?

People that have inhabited what is now South Dakota have lived during two periods of time—the pre-historical period and the historical period. Information on the people from the pre-historical period is limited because archaeologists have not been able to discover a continuous chronology of residence. However, from discoveries that have been made it is known that people lived in South Dakota soon after the last great glacier receded. These early people are sometimes referred to as Paleo-Indians. The economy of the Paleo-Indians was one of hunting. They used stone implements to hunt species of elephants and giant buffalo that are now extinct. The period of time that these hunters lived in the area of what is now South Dakota was from 7,500 to 20,000 years ago.

Who were some of the people that followed these first inhabitants?

Sometime during the period from 3,500 to 7,000 years ago there was a severe drought that seems to have driven out most all of the big mammals and the Paleo-Indian hunters. Archaeologists have not been able to find evidence of humans living in South Dakota during that period. Weather conditions improved, and sometime during the period of 1,200 to 4,500 years ago small bands of Indians returned. These people had an economy of hunting, and the bison was their mainstay. This bison was much smaller than the bison hunted 10,000 years ago. Next in line were the Mound Builders who moved up the river valleys during a period of 700 to 1,200 years ago. Apparently these people were pressured out of areas east of South Dakota. The Mound Builders lived in temporary villages and centered their economy around the large numbers of deer and bison that they found along the river valleys and on the prairies. Archaeologists have found evidence that they did limited farming during their last period of occupation in the state. The Mound Builders in South Dakota erected small dome-shaped mounds; from these mounds and from associations with a similar group in the eastern United States they received the name "Mound Builders."

ANCESTRAL MANDANS AND MANDANS



O Fort Berthold Indian Reservation

X Permanent Villages

Migration Route

Direction of Migration

What Indians lived in South Dakota prior to the "historical period?"

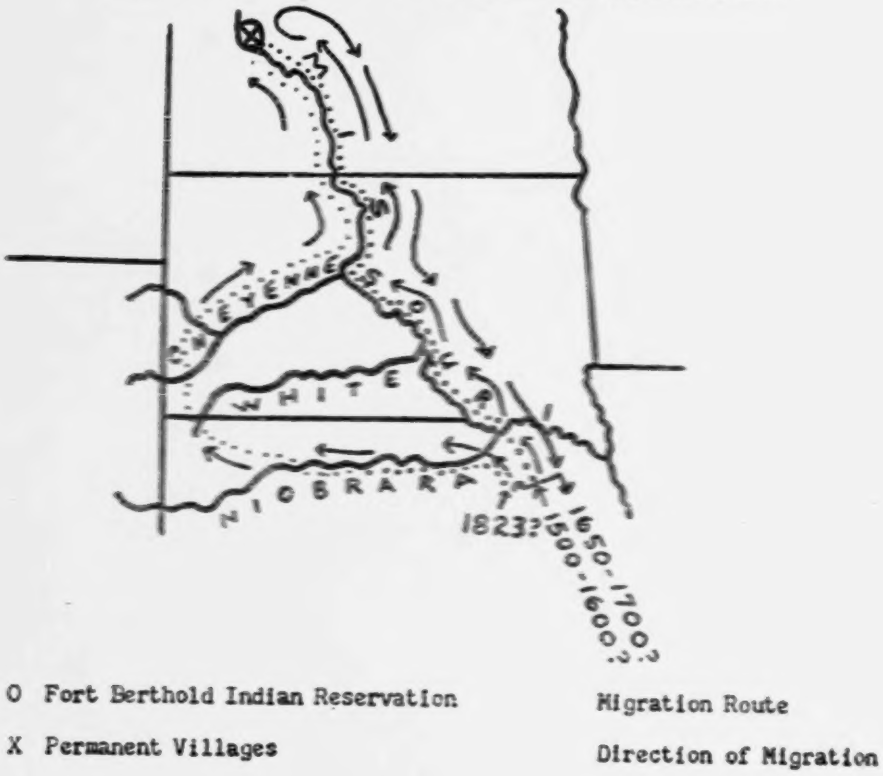
From about 1250 A.D. until 1400 A.D. a group of Indians with an agricultural economic base moved out of what is now southern Minnesota, and into the present State of South Dakota. According to Mandan Indian legends these were the ancestors of the Mandans who now live on the Fort Berthold Indian Reservation in North Dakota. According to legends these ancestral Mandans moved across the present State of South Dakota, from Sioux Falls, Mitchell, and Chamberlain, to the mouth of White River. One band moved up the Missouri, and another band went along the river valleys to the Black Hills. Later the second group returned from the Black Hills to the mouth of the White River, and then up the Missouri River to later meet with the band that had preceded them. The ancestral Mandans built rectangular houses with floors that were set down into the ground; the walls were made of vertical poles; and the roofs were covered with willows, grass bundles, and mud. The villages of these agricultural Indians were usually fortified by ditches with earthen embankments and post stockades. The women of this group of Indians made fine pottery and raised corn, squash, beans, sunflowers, and tobacco. Their agricultural economy was supplemented by hunting during the summer months. After the arrival of this group of Indians the Mound Builders disappeared, apparently either by warfare or intermarriage.

What was the first group of Indians that lived in South Dakota during the "historical period?"

The next migration of Indians into the State of South Dakota was between 1500 A.D. and 1600 A.D., and apparently resulted from a drought in what is now the State of Nebraska. These people are thought to be ancestors of the Arikara Indians who now live on the Fort Berthold Reservation in North Dakota with the Mandan and Gro Ventres. After the drought ended, and around 1600 A.D., some of these Indians migrated back towards Nebraska. These Indians became known as the Pawnees.

The Arikara, or Ree Indians, related to the Pawnee of Nebraska, are important in the history of South Dakota because they are one of the first groups of Indians in this area to come in contact with the White man. The Arikara moved up the Missouri River Valley and settled in several

ANCESTRAL ARIKARAS AND ARIKARAS


MISSOURI
CHEYENNE
WHITE
NIOBRARA
1823?
1650-1700?
1500-1600?
O Fort Berthold Indian Reservation
X Permanent Villages
Migration Route
Direction of Migration

different places. They occupied the river banks until they came in contact with the Dacotah. After contact with the Dacotah they engaged in a war that lasted for approximately forty years. This warfare and the fact that friendly relations with the Whites had been broken caused them to seek comfort and relief with their kin, the Pawnees in Nebraska, in approximately 1823. They were not hospitably received by the Pawnees, so after a short stay they traveled back through the State of South Dakota, via the Black Hills, into the State of North Dakota where they live today. The Arikara were farmers much like the Mandan who preceded them. They, too, hunted buffalo on the high plains during the summer months and built well-bastioned fortresses. Their houses were similar to those of the ancestral Mandan, except that they tended to be square rather than rectangular.

When did the Dacotah arrive in South Dakota?

Sometime between 1700 and 1750 A. D. the Dacotah made contact with the Arikara. The Dacotah Indians are commonly known as the Sioux Indians. The Dacotah people are one of the several bands of "Siouan" speaking people. "Siouan" is a term used by linguists to designate the relationship of certain languages with fundamental similarities.

Where was the original home of the Dacotah?

It is difficult to ascertain the original home of the Dacotahs. However, as late as 1750 members of the Siouan speaking people were living along the Atlantic seaboard to the Gulf of Mexico, and as far west as the Missouri. With the passing of centuries these people migrated into the plains area, and by the Sixteenth Century history reveals that some of the members of this linguistic stock were residing west of Lake Michigan. Later migrations found them seeking more abundant food supplies in the forest regions of Minnesota.

Why did the Dacotah leave Minnesota and enter South Dakota?

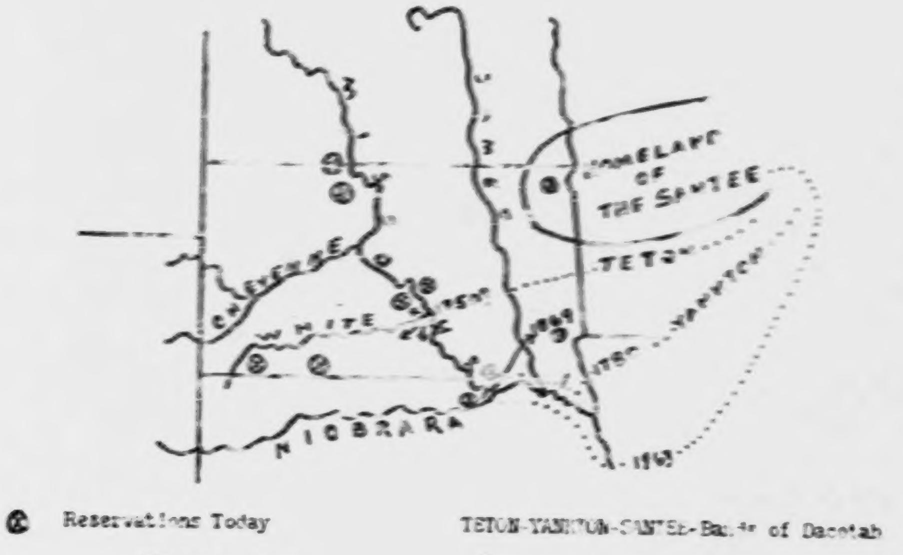
As the Dacotah penetrated the woods of Minnesota they encountered the powerful bands of Chippewa. The Dacotah and Chippewa became very hostile to one another. These contacts altered the lives and conditions of these two groups greatly. The Dacotah received their name, "Sioux," from

* This word is spelled in various ways by different writers.

the Chippewa. The name the Chippewa gave these people was "Nadoweisiw."* After being pluralized and corrupted by the French it was shortened to "Sioux." The term originally meant snake or adder, and hence—enemy. Their traditional name was "Dacotah," which means an alliance of friends or allies. The Dacotah were eventually pressured out of Minnesota by the Chippewa who had, by White Contact, been armed with the White man's weapons. In addition the Dacotah left to seek a more abundant food supply which the buffalo of the plains offered.

Was the migration from Minnesota a mass movement?

The Teton bands of Dacotah were the first to leave Minnesota. In about 1750 they had reached the Missouri River Valley where they encountered the Arikara. This meeting resulted in a long war which ended with the Tetons driving the Arikara northward. Later the Tetons crossed the Missouri and roamed over the Western plains where the buffalo were plentiful. The Yankton bands, in the course of their wandering, first moved into western Iowa. Later they moved into the James River Valley and occupied the lower part of the valley. The Yanktonai occupied the upper part of the valley until about 1780. The Santee bands remained in Minnesota for some time before they were forced and "treatied" into moving into the lake region of northeastern South Dakota.


HOMELAND OF THE SANTEE
TETON
YANKTON
CHEYENNE
WHITE
NIOBRARA
Reservations Today
TETON-YANKTON-SANTEE-Bands of Dacotah
Migration Route
Direction of Migration

What are these "bands" and how are they classified?

The Dacotah Indians can be classified into two groups: one under the language stock and its division into dialects; and secondly, the division of the groups into bands stemming from these various dialects. The dialects are usually classified as follows: Dacotah and Lacotah, for the three main bands of Yankton and Santee, and Teton, respectively. The Dacotah Indians lived in small groups with one man chosen as their leader. Numbers of these little groups constitute a "band," and the total group, under their leader or family head, constitute a band of Yankton, Teton, or Santee. For example, the Teton band is divided into seven recognized sub-bands; Brule (Upper and Lower), Oglala, Sans Arc, Sihasapa (Blackfoot), Miniconjou, Two Kettle, and Hunkpapa. The Yankton bands are divided into Yankton, and Hunkpatina Yanktonai. The sub-bands of the Santee are the Mdewakantowan, Wahpeton, Wahpekute, and the Sisseton.

Did the Dacotah bands have to change their manner of living after moving out of the wooded areas and onto the plains?

In the woods of Minnesota the Dacotahs lived in fixed homes of poles, earth, and bark. Their diet consisted of wild rice, berries, fish, corn, beans, timber game, and squash. Out on the plains the Tetons and Yanktons changed their homes to movable skin tepees, and for the most part became a nomadic people following their food supply. Their existence depended almost entirely on the buffalo which provided meat, skins for their tepees, and bones for crude agricultural implements. Food and products which they did not provide for themselves were obtained from other Indians, either through raiding parties or by trade.

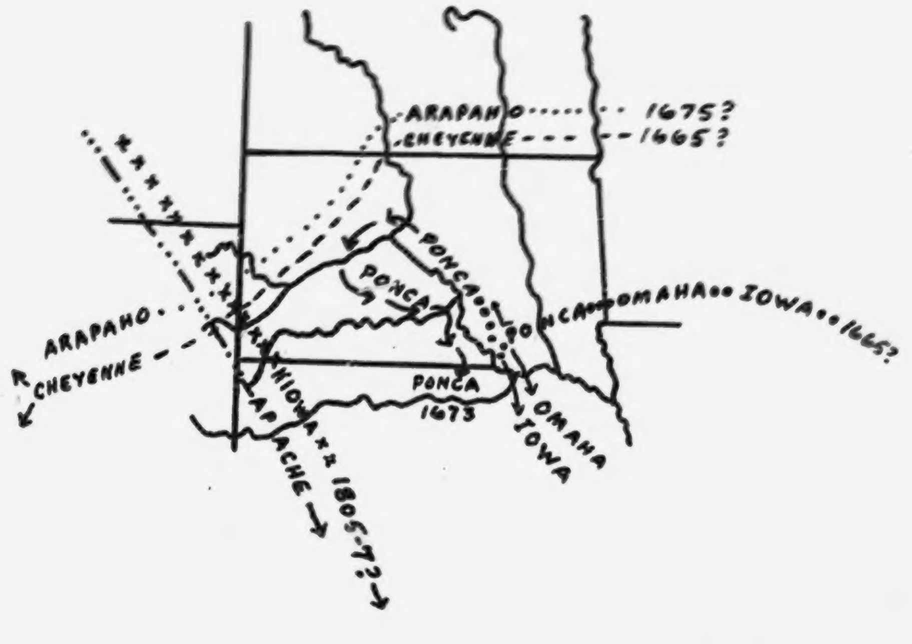
The Yanktonai moved into the area and followed somewhat the pattern of living of the Arikara. They lived in dirt lodge villages. The Santee was the only group to carry on the traditional pattern of living of the Dacotah. The Santee lived in the lake country and lived by fishing, gathering, and hunting.

After the Dacotah occupied what is now South Dakota what effect did the movement of pioneers have on their lives?

All the land now comprising South Dakota was dominated by the various Dacotah bands. The people followed their food supply, the buffalo, and ranged from Yankton to the Black Hills. As increasing numbers of settlers moved westward more and more demands were made for Indian lands; the demands of the settlers were met through treaties by which the Dacotah relinquished land. During the period of treaty-making almost four hundred treaties were made with the Indians in the United States. Prior to 1851 all the area of South Dakota was "Indian Country."

Were there any other Indians, besides those mentioned above, in South Dakota at any time?

According to legends of several different Indian tribes it seems that there were several bands of Indians in South Dakota at one time or another. The Cheyenne Indians moved across the present State of North Dakota, crossed into South Dakota near the place where the Missouri River and the borders of South Dakota and North Dakota meet. They then moved across South Dakota into the Black Hills area to become buffalo hunters. At one time the Arapaho resided in the Black Hills area and made their main camps near the present site of Spearfish. Their migration apparently was similiar to that of the Cheyenne. The Arapaho and Cheyenne were allies with the Sioux in some of the major Indian wars in the plains area after 1860. The Cheyenne of the present century live in the states of Oklahoma and Montana. The Arapaho now live on reservations in Oklahoma and Wyom-



ing. The Kiowa and some Apache may have been in South Dakota at one time around 1700-1800. The length of time they were in this area was apparently short. The Kiowa and Apache of today are Indians that live in the southwestern part of the United States. The Iowa, Omaha, and Ponca broke from their mother group at the mouth of the Osage River, crossed the Missouri and later reached the pipestone quarry in Minnesota. Later they moved to the Big Sioux River where warfare with the Dacotah compelled them to flee southwest to the present site of Lake Andes. Then later they moved up to the mouth of the White River. The Ponca then went into the area of the Little Missouri and then to the Black Hills region. They then returned to rejoin the Iowa and Omaha, and ascended the right bank of the Missouri to the mouth of the Niobrara. After returning to the mouth of the Niobrara the Omaha and Iowa moved further south. Today the Ponca live on reservations in Oklahoma and Nebraska; the Omaha on a reservation in Nebraska; and the Iowa on reservations in Kansas, Nebraska, and Oklahoma.

PERIOD	PALEO INDIANS	FORAGERS	WOODLANDS	AGRICULTURAL & VILLAGE DWELLERS	BUFFALO HUNTERS
10,000 to 20,000 years ago (ICE AGE)	Elephant Hunters				
7,500 to 10,000 years ago	Bison taylori Hunters				
3000 year drought	No Inhabitants				
1200 to 4500 years ago		Bison bison hunters			
700 to 1200 years ago			Mound Builders		
700 years ago to 1823 A. D.?				Mandan* Arikara Ponca Omaha Iowa Yanktonai Santee	
1700? A. D. to 1870? A. D.					Apache* Kiowa Arapaho Cheyenne Yankton Teton

* Probable sequence of entry

"FROM DACOTAH TO SOUTH DAKOTA"

How was the land acquired for the State of South Dakota?

The area that now comprises the State of South Dakota was, at the time of White contact, claimed mainly by the Dacotah people. The relinquishment of land to the Whites came as a result of the migration of early trappers, traders, missionaries, pioneers, and the military, and the need for land to carry out their daily activities. The relinquishment of land came largely through treaties between the Dacotah Nation and the United States.

When did the treaty making period begin and end in the United States?

The treaty making period began in 1778 and ended in 1871. After 1871 treaties were no longer made with the Indian tribes. The Act of March 3, 1871 (16 Stat. 566), provided that Indian nations and tribes within the territorial limits of the United States would no longer be considered sovereign nations, and that the United States could not make contracts with the Indians through treaties. After 1871 the United States entered into agreements with the Indian people. These agreements had to pass both houses of Congress and be signed by the President of the United States.

When did the treaty making period begin and end with the Dacotah Nation?

Charles J. Kappler's books on Indian laws and treaties indicates that the first treaty made with Dacotah Indians was on September 23, 1805. This treaty provided for the relinquishment of nine square miles along the St. Croix, Mississippi, and St. Peter's Rivers for the purpose of establishing military posts. In return for the relinquishment of this land the Dacotah received $2000 in goods and merchandise, the right to hunt and fish on the land, and to pass and repass through the relinquished territory. Technically, the last treaty made with the Dacotah people was in 1868. The Treaty of 1868 confirmed, to the Dacotah Indians, all of the land west of the Missouri River. After 1868 all arrangements made with Indians were called agreements. Most of the Indian people consider the agreements made with the United States as treaties.

What was the nature of the treaties after 1805?

In 1815 and 1816 five treaties were made. These treaties were with the Teton; the "Sioux of the Lakes;" the "Sioux of St. Peter's River;" the Yankton; and the "Siouxs of the Leaf," "The Siouxs of the Broad Leaf", and "Siouxs Who Shoot in the Pine Tops." The purpose of these treaties was to forgive and forget the hostilities between the Dacotah Indians and the United States; agree that there would be perpetual peace and friendship; and the Indians were to acknowledge the sovereignty and protection of the United States. These treaties, and later treaties, can be considered as "peace" treaties. In 1825 treaties made with the Dacotah Indians were not only for the purpose of peace, but for the purpose of regulating trade and providing for the punishment of treaty violators.

What was the nature of other treaties after 1825?

Most of the treaties from 1825 to 1837 involved setting boundaries between the Dacotah Indians and other tribes. The purpose of these treaties was the relinquishment of land on the part of the Indians and the prevention of Indian wars. The treaties from 1825 to 1837 also involved the relinquishment of land in areas east of present day South Dakota.

What did the Dacotah Indians receive in return for the land that was ceded?

The Indians usually received annuities and hunting rights for the relinquishment of land. The annuities were usually in the form of goods and merchandise. In some of the treaties the Indians were given assistance by government assignment of blacksmiths and "farmers" who were to help Indians become agricultural people. Treaty stipulations sometimes provided educational opportunities for Indian young people. In addition, cash payments were sometimes made to the signers of the treaties, and houses were built for the chiefs and headmen.

What land was ceded from 1825 to 1837?

The Dacotah Indians ceded land lying principally in Minnesota during the period between 1825 and 1837. There were six major treaties during this period.

1. Treaty of August 19, 1825 (ratified by Presidential Proclamation, February 6, 1826). Treaty made between the United States and the Chippewa, Sioux, Sac and Foxes, Menominee, Iowa, Winnebago, Oto, and Pot-

awatomi tribes for the purpose of promoting peace, and setting boundaries between warring tribes.

2. Treaty of July 15, 1830 (ratified by Presidential Proclamation, February 24, 1831). Treaty made between the Sac and Foxes; the Mdewakantowan, Wahpekute, Wahpeton, and Sisseton bands of Sioux; the Omahas; Iowas; Otos; the Missourias; and the United States for the purpose of relinquishing lands in the present-day states of Minnesota, Missouri, Iowa, and Kansas.

3. Treaty of September 10, 1836 (ratified by Presidential Proclamation, February 15, 1837). Treaty made with Wa-ba-shaw's band of Sioux involving the relinquishment of land from the Missouri state line to the Missouri River for the purpose of attaching the relinquished land to the State of Missouri. In the words of the treaty this was necessary because " . . . Now we, the chiefs, the braves, and principal men of the above named band of Indians, fully understanding the subject, and well satisfied from the local position of the lands in question that they can never be made available for Indian purposes, and that an attempt to place an Indian population on them must inevitably lead to collisions with the citizens of the United States; and further believing that the extension of the State line in the direction indicated, would have a happy effect, by presenting a natural boundary between the whites and Indians; and willing moreover, to give to the United States a renewed confidence of our attachment and friendship, do hereby for ourselves, and on behalf of our respective tribes, (having full power and authority to this effect) forever cede, relinquish, and quit claim to the United States, all our right, title and interest of whatsoever nature in, and to, the lands lying between the State of Missouri and the Missouri River, and do freely and fully exonerate the United States from any guarantee, condition, or limitation, expressed or implied under the treaty of Prairie du Chein (Treaty of July 15, 1830) aforesaid or otherwise, as to the entire and absolute disposition of the said lands, fully authorizing the United States to do with the same whatever shall deem expedient or necessary . . . " In return for this Wabashaw's band was to receive $400 in goods or in money.

4. Treaty of October 15, 1836 (ratified by Presidential Proclamation, February 15, 1837). Treaty made with

the Otos, Missourias, Omahas; and Yankton and Santee bands of Sioux. This treaty was the same as the Treaty of September 10, 1836. In return these Indians received $4,520 in merchandise for the cession.

5. Treaty of November 30, 1836 (ratified by Presidential Proclamation, February 18, 1837). Treaty made with the Wahpekute, Sisseton, and Upper Mdewakantowan bands of Sioux. This treaty was the same as the Treaty of September 10, 1836. In return these Indians received $550 in goods.

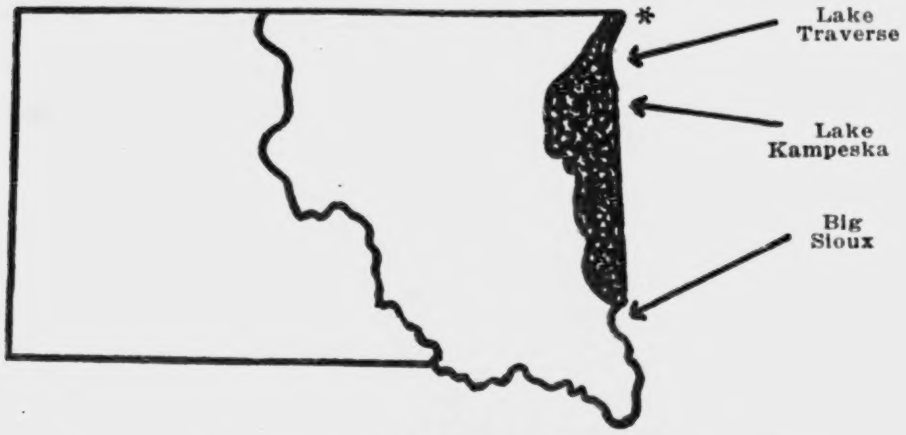
6. Treaty of September 29, 1837 (ratified by Presidential Proclamation, June 15, 1838). Treaty made with the Sioux Nation for the purpose of relinquishing title to all lands east of the Mississippi River and all islands in the river.

What treaties were made after 1837?

After 1837 the first treaties of significance were made in 1851. During 1851 three treaties were made with the Dacotah Indians. One was at Traverse des Sioux on July 23, 1851 (ratified February 24, 1853), one at Mendota on August 5, 1851 (ratified February 24, 1853), and one at Fort Laramie on September 17, 1851 (ratified by the Senate). Through the Treaty of Traverse des Sioux the Sisseton and Wahpeton tribes ceded all of their lands in Iowa; all of their land in Minnesota east of Lake Traverse, except certain lands along the Minnesota River; and all of their lands from a line running on the west side of Lake Traverse to Lake Kampeska, and then down the Big Sioux River to where the river meets the Iowa border.

The Treaty of August 5, 1851, at Mendota provided that the Mdewakantowan and the Wahpekute bands would cede all of their land in Iowa and Minnesota.

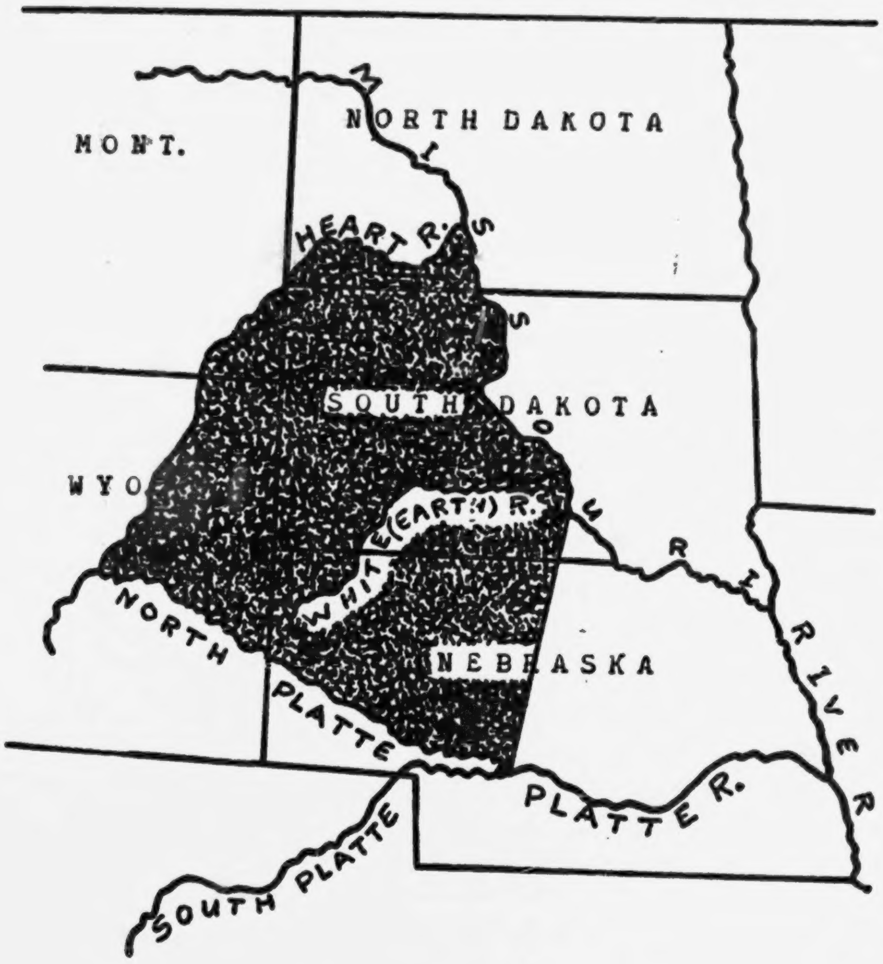
At the Treaty of Fort Laramie in 1851 all of the Indian Nations residing south of the Missouri River, east of the Rocky Mountains, and north of Texas and New Mexico assembled. The purpose of this treaty was to establish and confirm a lasting peace among all concerned, that the Indians would accept the protection and sovereignty of the United States, and that the Indians would recognize the right of the United States to establish roads, and military and other posts, within Indian territory. This treaty also set the boundaries for the various tribes. The area of the



Treaty of Traverse des Sioux ,July 23, 1851—First land ceded by Indians in what is now the State of South Dakota.

Dacotah Nation, as set forth in the Fort Laramie Treaty, began at the mouth of White Earth River (White River), on the Missouri River; then down in a southwesterly direction to the forks of the Platte River; then up the north fork of the Platte River to Red Butte; along the Black Hills to the headwaters of Heart River and down to its mouth on the Missouri; and then down the Missouri to the place of beginning on White River.

* Shaded area represents ceded area.

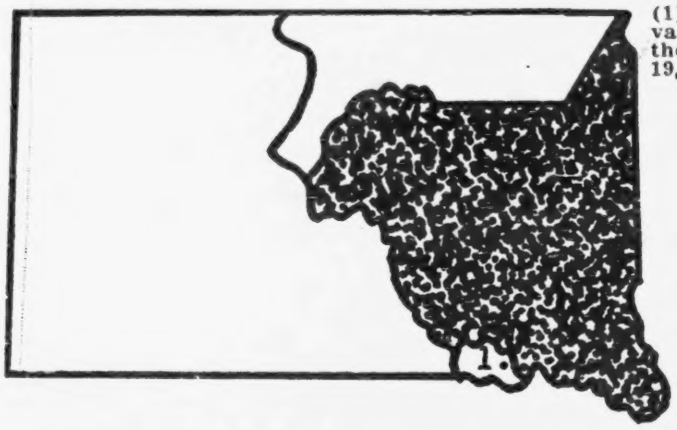

MONT.
NORTH DAKOTA
MISSOURI RIVER
HEART R.
SOUTH DAKOTA
WYO.
WHITE (EARTH) R.
NORTH PLATTE
NEBRASKA
PLATTE R.
SOUTH PLATTE

LARAMIE TREATY OF 1851

Other treaties of significance after 1851 were made in 1858, 1865, 1867, and 1868.

What treaties were made in 1858?

In 1858 there were three significant treaties that were made with the Dacotah Indians. One was a treaty with the Yankton Sioux made on April 19, 1858 (ratified February 16, 1859, and proclaimed February 26, 1859;) one with the Mdewakantowan and Wahpekute bands of Dacotah on June 19, 1858 (ratified March 9, 1859, and proclaimed March 31, 1859); and the other with the Sisseton and Wahpeton Bands of the Dacotah on June 19, 1858 (ratified March 9, 1859, and proclaimed March 31, 1859). The treaty with the Yankton was for the purpose of relinquishing land, and setting up the Yankton Reservation. In the treaty of April 19, 1858 the United States received all of the land in present day eastern South Dakota lying south of a line running from Medicine Knoll Creek on the Missouri River to the northern shore of Lake Kampeska, except four hundred thousand acres that were reserved for the Yankton Sioux.



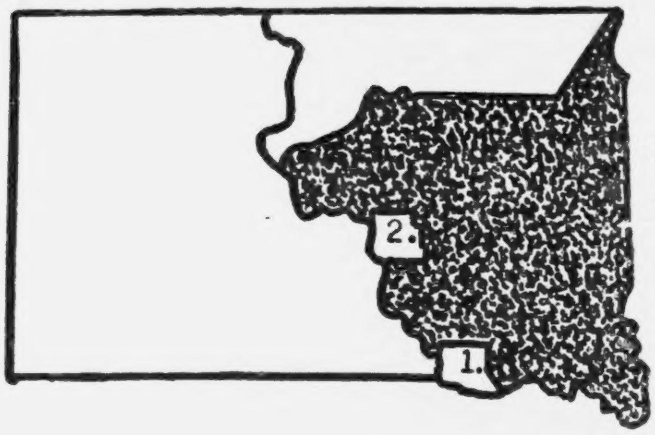
(1). Yankton Reservation established by the Treaty of April 19, 1858.

The treaties of 1858 with the Santee bands of Sioux were made with the Mdewakantowan, Wahpekute, Sisseton, and Wahpeton for the purpose of confirming the treaties of Mendota and Traverse des Sioux. Also these two treaties set forth stipulations for the allotment of lands owned by the Indians along the Minnesota River, and arrangements for payments for land relinquished north of the Minnesota River. A Senate Resolution made on June 27, 1860, provided that the lands lying north of the Minnesota River were to be bought from the Indians for thirty cents an acre.

What treaties established reservations in South Dakota, and what were the first reservations that were established?

The Treaty of April 19, 1858, established the first reservation for the Dacotah Indians. This was the reservation for the Yankton Sioux which was described in the preceding question. In 1863 the second reservation was established in South Dakota. This was the Crow Creek Reservation. The Crow Creek reservation was established by administrative action.

In 1865 a series of nine treaties were made with the various bands of Teton and Yanktonai Indians that resided along and to the west of the Missouri River. These treaties were made during the month of October in 1865 at old Fort



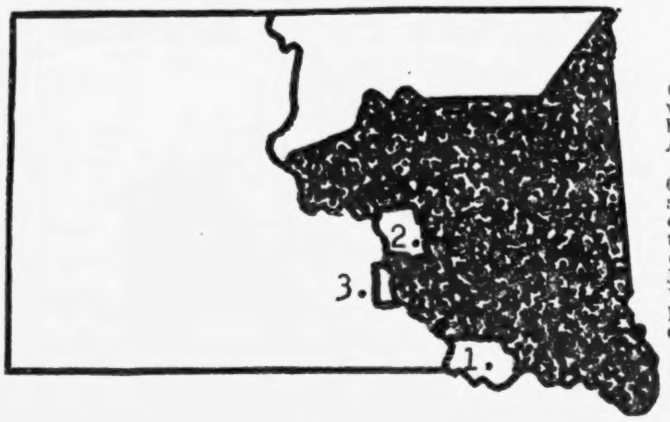
(1). Yankton Reservation established by the Treaty of April 19, 1858.

(2). Crow Creek Reservation established by administrative action in 1863.

Sully, east of the present site of Pierre, South Dakota. The treaties of 1865 were made with the Lower Brule, Hunkpapa, Miniconjou, Two Kettle, Blackfeet, Sans Arc, Oglala, Yanktonai, and Upper Yanktonai Bands of the Dacotah Nation. The purpose of these treaties was mainly to prevent hostilities and establish peace between the Indians and the United States. This was to be done by having the tribes agree that they would refrain from attacking United States citizens, prevent other tribes from attacking United States citizens, have Indians arbitrate their differences in case of hostilities, and to move from the areas where the United States had or planned on establishing roads through Indian Country. Each band was to be paid a certain sum of money for moving away from the overland routes.

The only reservation that was established in 1865 was in the treaty of October 14 with the Lower Brule Band. The treaty stipulations were the same as those with the other tribes, but the Lower Brule group was to locate on a permanent reservation "at or near the mouth of the White River, to include Fort Lookout, twenty miles in a straight line along the Missouri River, and ten miles in depth . . ." In return for this the Lower Brule band was to receive funds to assist them to become farmers if "fifty lodges occupied land on the reserve and engaged in agriculture."

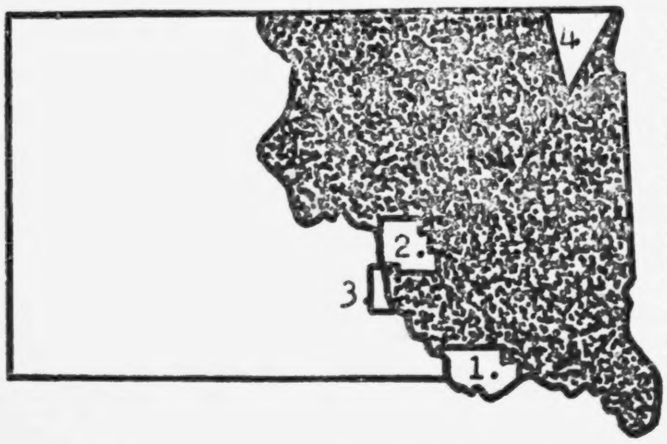
In 1862 hostile action of a band of Dacotah Indians resulted in an outbreak in Minnesota. As a result the United States confiscated the annuities and lands given to the Santee bands prior to 1862. Some of the Santee bands did not participate in the outbreak while others assisted the United States Army by rescuing the hostages. As a result, the United States, through the treaty of February 19, 1867,



(1). Yankton Reservation established by the Treaty of April 19, 1858.

(2). Crow Creek Reservation established by administrative action in 1863.
(3). Lower Brule Reservation in White River established by Treaty of October 14, 1865.

(ratified April 15, 1867 and proclaimed May 2, 1867), established the Sisseton Reservation for the friendly Indians of the Santee bands. This was a "flatiron" area in northeastern South Dakota. Also, through this treaty the Indians ceded all their lands lying north of the lands ceded by the Yanktons in 1858, and all lands east of the James River. This included most of the land claimed in North Dakota.



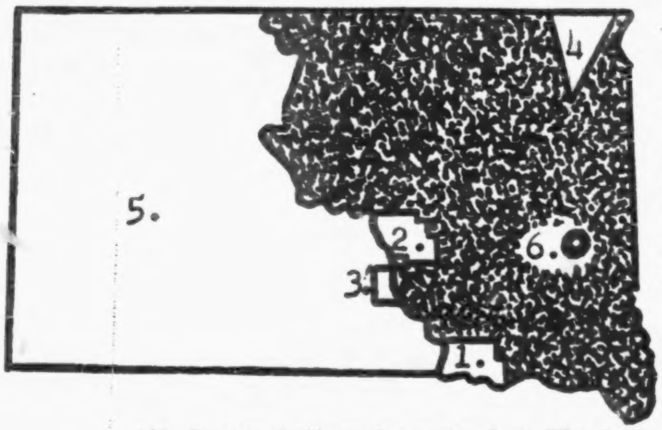
(1). Yankton Reservation established by the Treaty of April 19, 1858.

(2). Crow Creek Indian Reservation established by administrative action in 1863.

(3). Lower Brule Reservation established on White River by Treaty of October 14. 1865.

(4). Sisseton - Wahpeton Reservation established by the Treaty of February 19, 1867.

The last treaty made with the Dacotah Indians was on April 29, 1868, (ratified February 16, 1859, and proclaimed February 24, 1869) at Fort Laramie. This treaty was made with ten bands of the Dacotah Nation and the Arapaho. This treaty reserved all of the lands west of the Missouri River and south of the Cannonball as a permanent reservation. The Indians released all of their lands east of the Missouri except the Crow Creek, Yankton, and Sisseton Reservations.



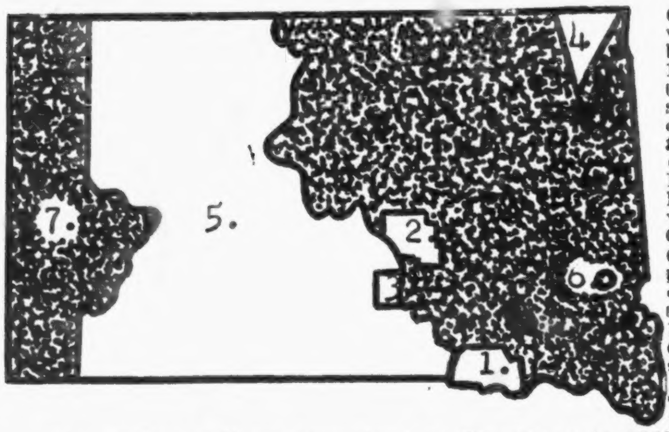
(1). Yankton Reservation established by Treaty of April 19, 1858.
(2). Crow Creek Reservation established by administrative action in 1863.
(3). Lower Brule Reservation established on White River by Treaty of October 14, 1865.
(4). Sisseton - Wahpeton Reservation established by Treaty of February 19, 1867.
(5). Great Sioux Reservation established by the Fort Laramie Treaty of April 29, 1868.
(6). Santee Indians homestead at Flandreau in 1869.

In 1869 members of the Santee band homesteaded near the present town of Flandreau, South Dakota. These Santee Indians homesteaded there largely because of the influence of the missionary, John P. Williamson, of the Presbyterian Church. This is an unusual and interesting sidelight in the history of South Dakota. The Indians settling in the Flandreau area were assisted by an appropriation from the government by the Acts of May 29, 1872, and March 3, 1873. A government school was established at Flandreau some time later. The Indians at Flandreau were allotted lands under the Act of March 2, 1889, and the Flandreau jurisdiction was established in 1939.

What agreements and Acts of Congress set up reservations in South Dakota?

During 1876 a commission was sent to Dacotah country to make an agreement for the relinquishment of land between the forks of the Cheyenne River to the 103rd Meridian, which included the Black Hills. This agreement was a result of the discovery of gold in the Black Hills and the failure of the government to exclude miners from the Black Hills. This agreement was approved by Congress by the Act of February 28, 1877. The discovery of gold in the Black Hills, and the influx of miners, is in part, the cause of the Indian campaign in which Custer, and a portion of his famous Seventh Cavalry, were annihilated by Crazy Horse and his warriors in 1876.

The Act of March 2, 1889, which was passed by the Second Session of the Fiftieth Congress, provided for the division of the lands held by the Dacotah Nation west of the Missouri River into separate reservations, and the



(1). Yankton Reservation established by Treaty of April 19, 1858.
(2). Crow Creek Reservation established by administrative action in 1863.
(3). Lower Brule Reservation established on White River by Treaty of October 14, 1865.
(4). Sisseton - Wahpeton Reservation established by Treaty of February 19, 1867.
(5). Great Sioux Reservation established by Fort Laramie Treaty of April 29, 1868.
(6). Santee Indians homestead at Flandreau in 1869
(7). Land relinquished from 103rd Meridian to the forks of the Cheyenne River by the Act of February 28, 1877.

relinquishment of all lands between the White and Cheyenne Rivers, except the Lower Brule Reservation, and all of the lands between the 102nd and 103rd Meridian. The agreement of 1889 enlarged and moved the Lower Brule Reservation farther up the Missouri River in a northerly and westerly direction.

The Sisseton-Wahpeton Agreement was negotiated at Sisseton, December 12, 1889. The Indians agreed to accept their lands in severalty and sell the surplus reservation lands to the government at the rate of $2.50 an acre. This surplus land was opened for settlement on April 15, 1892.

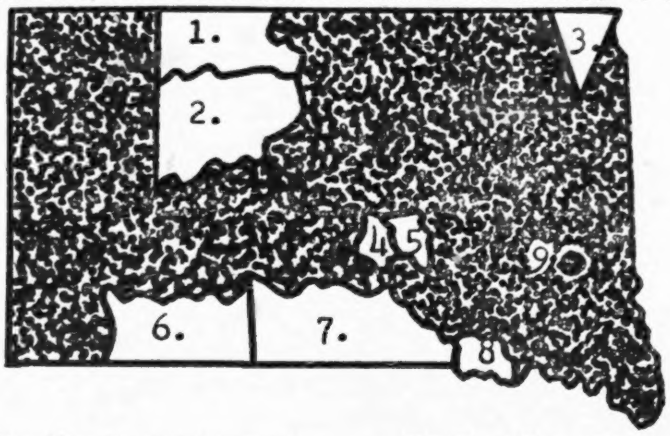
An agreement at the Yankton Agency, December 1, 1892, resulted in the Yankton Indians taking their lands in severalty and selling the surplus for $600,000. The area was opened for settlement on May 16, 1895.

On April 23, 1904, the Sioux relinquished all surplus lands in Gregory County, for $2.50 an acre. They were opened for settlement on July 5, 1904.

The land in Tripp County was opened to settlement by an agreement negotiated by Major James McLaughlin through which the Brule band took their lands in severalty and sold the surplus.

Lands in the Cheyenne and Standing Rock reservations were released by agreement and approved by the Act of March 29, 1908.

Act of March 2, 1889 established reservations for all bands of Dacotah.



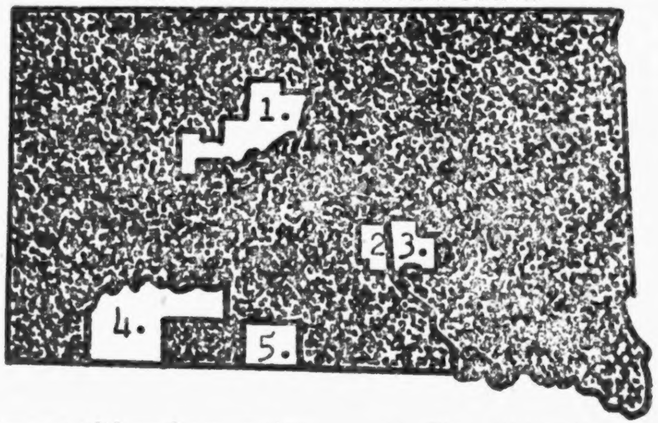
(1). Standing Rock Reservation
(2). Cheyenne River Reservation
(3). Sisseton Reservation
(4). Lower Brule Reservation
(5). Crow Creek Reservation
(6). Pine Ridge Reservation
(7). Rosebud Reservation
(8). Yankton Reservation
(9). Flandreau Jurisdiction

The agreements for the opening of land in Bennett, Mellette, and Washabaugh Counties were in accordance with Acts of May 20, and May 27, 1910; the surplus lands were opened for settlement on October 1, 1912.

What is the difference between an "open" and a "closed" Indian Reservation?

An "open reservation" is one in which the surplus lands were open to homesteading. A "closed" reservation was not opened to homesteading, but this does not mean that White people were excluded from the reservation area. White people living on a closed Indian reservation purchased their lands during sales supervised by the Federal Government or from Indians having fee patents.

Closed Reservations in South Dakota



(1). Cheyenne River Reservation
(2). Lower Brule Reservation
(3). Crow Creek Reservation
(4). Pine Ridge Reservation
(5). Rosebud Reservation

What are the "open" and "closed" reservations in South Dakota today?

The "open" reservations are Standing Rock, Sisseton, Flandreau, and Yankton. The "closed" reservations are Cheyenne River, Lower Brule, Crow Creek, Pine Ridge, and Rosebud.

What is the population of the Dacotah Indians in South Dakota?

It would be fallacious for anyone to state that there is a definite number of Indians in the State of South Dakota without making a few explanations first. The Bureau of Indian Affairs and the United States Bureau of Census both take a census of the Indian population. The Census Bureau's enumeration cannot actually be called an accurate figure because the enumerator is instructed not to ask the race question, but to make his own determination as to race. It would be very difficult for a census enumerator to determine whether a person would be classified as an Indian according to the numerous methods of defining the term "Indian," especially if a person did not "show" his Indian lineage.

The 1950 Census, as taken by the Census Bureau, enumerates 23,334 Indians residing in South Dakota. The number of Indians has been estimated by various sources from 30,000 to 37,000. In the "Report with Respect to the House Resolution Authorizing the Committee on Interior and Insular Affairs, to Conduct an Investigation of the Bureau of Indian Affairs,"* the various Indian Agencies reported, in 1950, the Indian population estimates as follows: (These estimates are based on the number of people on the tribal rolls at the Reservation Indian Agency. The actual number of Indians is probably greater than this because of Indian people who are not included on the rolls.)

ESTIMATED NUMBER OF SIOUX INDIANS
ON TRIBAL ROLLS

Cheyenne River Reservation	4,307
Crow Creek Reservation	1,132
Flandreau Jurisdiction	289
Lower Brule Reservation	705
Pine Ridge Reservation	10,648
Rosebud Reservation	8,813
Standing Rock Reservation	2,714
Sisseton Reservation	2,400
Yankton Reservation	2,391
TOTAL	33,399

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* Refer to bibiliography on page 106.

STATE GOVERNMENT AND INDIAN AFFAIRS

What has been done on the state level to recognize the existing "Indian Problem" in South Dakota?

The State of South Dakota has recognized that there is an "Indian Problem" in South Dakota, and has taken steps to assist in eliminating some phases of this problem. Agencies that are actively working with various aspects of the Indian problem are, the South Dakota Indian Commission; the Governors Interstate Indian Council; the Committee on Education, Health, and Welfare of the State Legislative Research Council; and the Institute of Indian Studies. These agencies deal with the "Indian Problem" primarily from a policy level approach rather than actually working with individual Indians. Actual work with Indians is carried on in other agencies in State Government such as the Departments of Public Welfare, Health, and Public Instruction.

When was the South Dakota Indian Commission organized?

The South Dakota Indian Commission was created by the 1949 Legislature. This was the first organized attempt on the part of South Dakota to provide a systematic and unified effort to do something about improving the conditions of the Indian.

What is the purpose of the South Dakota Indian Commission?

The purpose of the South Dakota Indian Commission is to study the "Indian Problem," and to make reports to the Legislature regarding conditions of Indians in South Dakota. It is non-political, and does not have the power to legislate or to establish policy. Its chief value is to assemble information, and bring its findings to the attention of the agencies concerned with the administration of Indian affairs. It helps coordinate activities by bringing together county, tribal, state, and federal representatives who deal with Indian problems.

Who are the members of the Indian Commission?

Originally, the Commission consisted of the Attorney General, the State Superintendent of Public Instruction, the State Health Officer, the State Director of Public Welfare, the Governor, and three other members, two of which were to be Indians. The 1951 Legislature passed a law increasing the Indian membership to five. The Area Director of the Bureau of Indian Affairs in Aberdeen, South Dakota, has been invited to serve as an advisory member of the Commission.

How are the members of the Indian Commission selected?

Four of the members of the Indian Commission are provided by law, six are appointed by the Governor, and the Governor is an honorary member. The State Health Officer, the Attorney General, the Director of Public Welfare, and the State Superintendent of Public Instruction are members of the Commission by virtue of their office. Five Indian members, and one member at large, are appointed by the Governor for three year terms.

How often does the Indian Commission meet?

The Indian Commission is required by law to meet two times a year. The commission has met, however, more times each year than is required. A meeting is usually held when the occasion necessitates meeting.

What have been the results of the meetings?

The results of these meetings have been of the utmost value in that there have been free and open discussions concerning the problems of Indians in South Dakota, and some existing evils and injustices have been rectified.

The consensus of opinion has been that long range programs should be adopted to work toward a goal so that Indian people may become a part of the common living of our state—without racial discrimination. Some of the recommendations to the Legislature that have proved to be vital in improving Indian conditions have been: scholarships for Indian students interested in higher education; funds to aid school districts containing tax-exempt Indian-owned land; memorializing Congress on federal legislation important to the various phases of Indian Affairs; and, in general, recommending legislation beneficial to Indians; and assisting the Indian population to better fit themselves for life within the State.

What is the Governors' Interstate Indian Council?

The Governors' Interstate Indian Council is an organization of the states in the United States that have an Indian population.

When did the Governors' Interstate Indian Council begin?

A meeting was called in St. Paul, Minnesota, on March 14, 1950, of representatives of all the states having an Indian population. The purpose of the meeting was to discuss the "Indian Problem" of the United States on a state level, and from a state point of view. Out of this meeting the Governors' Interstate Indian Council was created. The persons who can be given a great deal of credit for founding this organization are Luther Youngdahl, former governor of Minnesota; and John Bonner, former governor of Montana.

Has the Governors' Interstate Indian Council met regularly?

The meeting that created the Council can be considered the first meeting. That was March 14, 1950. Regular meetings have been held since at the following places and on the following dates: Salt Lake City, Utah, on May 12, 1950; Oklahoma City, Oklahoma, December 7-8, 1950; Helena, Montana, December 10-11, 1951; Phoenix, Arizona, December 5-6, 1952; Carson City, Nevada, October 27-29, 1953; Sun Valley, Idaho, September 30, and October 1-2, 1954; and Sante Fe, New Mexico, October 5-7, 1955. In 1956 the Council will meet in the State of Wyoming.

Has the State of South Dakota taken an active part in the Council?

An Indian and a non-Indian representative from South Dakota have attended every meeting of the Governors' Interstate Indian Council.

What is the purpose of the Governors' Interstate Indian Council?

The purpose of the Governors' Interstate Indian Council is to meet annually and (1) consider the various aspects of the "Indian Problem"; (2) act jointly on items of interest; (3) exchange information among the states; (4) cooperate with Congress, the Federal Government, and the local governmental agencies, and other organizations that are interested in the American Indians; (5) within a reasonable time, and after meeting with Indian and federal representatives, recommend proposed legislation for submission to Congress; and (6) consider such other matters the Council deems advisable.

What have been the accomplishments of the Governors' Interstate Indian Council?

(1) The Council has conducted meetings and discussions at eight different times when recommendations and plans for Indian improvement have been formulated, mainly through the work of committees; viz., Education; Employment Opportunities; Health; Housing; Law and Order; State-Federal Relations; Treaties, Claims, and Lands; and Welfare. (2) The Council, by maintaining regular contacts with various governors and representatives of each state, has stimulated greater understanding of the "Indian Problem," and in many instances has encouraged states and communities to take action which might otherwise have been postponed. (3) The existence and activity of the Council has given encouragement to Congressmen and federal officials toward the better accomplishment of their work on behalf of Indians. (4) Most of the states have organized and conducted open discussions of "Indian Problems" with the establishment of committees to work on various phases of the "Indian Problem." In some states coordinators and commissions have been created, at least partly as a result of this interstate activity. (5) Officials of tribal, state, local, and national government, political office-holders, and others throughout Indian country have been brought together and made acquainted so that they may better work together in solving the "Indian Problem." (6) Telegrams and communications have been sent on several matters affecting Indian Affairs, such as the question of transferring the Indian Health Service to the United States Public Health Service which became effective on July 1, 1955. (7) Effective contacts and laision with other groups like the National Congress of American Indians, and the National Association of Indian Affairs have been maintained. (8) Officers of the Council have made personal contacts with governors and representatives in more than a dozen states for the purpose of discussing the Council Program.

What is the South Dakota Legislative Research Council?

The Legislative Research Council is an agency composed of the entire membership of the State Legislature with a research department located in the State Capitol. An Executive Board of fifteen members supervises the general operation of the Council, assigns topics to the standing committees for study, and prepares a legislative program for presentation to the next legislative session.

What is the purpose of the Legislative Research Council?

The limited sixty day biennual session makes it impossible to give detailed consideration to the increasingly large number of bills that are presented. The Legislative Research Council studies major legislative policies between sessions of the Legislature in order to bring about better laws.

What has been done by the Legislature to recognize the "Indian Problem?"

The Investigating Committee of the 1955 Legislature recommended that a comprehensive study be made of federal and state relations relative to the Indians in South Dakota. In keeping with this recommendation the Executive Board of the Legislative Research Council assigned an overall study of the "Indian Problem" to the Standing Committee on Education, Health, and Welfare.

What has been accomplished?

The first organizational meeting of this Committee on Education, Health, and Welfare, composed of 29 Legislators, was held in the Senate Chambers of the State Capitol on October 24, 1955. The "Indian Problem" was discussed by numerous state and federal officials for the purpose of informing the Committee members. A special sub-committee was appointed to arrange for another meeting that is to be attended by local and tribal officials. It is anticipated that definite recommendations for legislative action will be developed as a result of the deliberations of this Committee on Education, Health, and Welfare.

Why is this an important phase of Indian Affairs in State Government?

This is the first time that a study group on Indian Affairs has been organized by the Legislative Research Council, and it is an official recognition of the "Indian Problem" on the part of State Government.

What is the Institute of Indian Studies?

The South Dakota Institute of Indian Studies was established by the Board of Regents at the request of the President of the University of South Dakota on April 30, 1955. The executive committee of the Institute of Indian Studies consists of Dean E. W. Harrington, Chairman; Dr. Wesley Hurt, Jr., Director; Dr. W. O. Farber, Secretary; Dr. Thomas McPartland; and Professor Oliver Layman. Approximately twenty-five faculty members have volunteered to assist the Institute with research.

What is the purpose of the Institute of Indian Studies?

The purpose of the Institute of Indian Studies is to conduct research on various phases of the "Indian Problem," to dissemminate the information to interested citizens and governmental agencies working with Indian Affairs, and to be of service to all persons concerned with assisting in the solution of problems affecting the Indian.

What have been the accomplishments of the Institute of Indian Studies?

The Institute of Indian Studies held a conference of representatives of all the Indian Reservations in South Dakota, and with officials of State Government. The tribal representatives discussed their problems at this meeting, and provided much enlightening information. (The Institute of Indian Studies published the proceedings of this meeting.) The Institute has also assembled information of studies elsewhere conducted, and published a preliminary economic and social survey of the Sisseton-Wahpeton Indian Reservation; prepared and published a study of the tribal law for the Oglala Sioux; contacted the Bureau of Indian Affairs, National Congress of American Indians, and foundations relative to financial support for the Institute; and are stimulating faculty and graduate student study of the various phases of the "Indian Problem." In the spring of 1956 the Institute of Indian Studies co-sponsored a study of the health needs of the Dacotah people with University of North Carolina and the United States Public Health Service.

FEDERAL GOVERNMENT AND INDIAN AFFAIRS

When did the relationship between the United States Government and the Indians begin?

When the United States was being colonized, the new "Americans" were having their first contacts with the Indians, the Crown regulated trade and relations with the natives. After the French and Indian War and before the adoption of the Constitution there were two Indian superintendencies established, one in the northern colonies and one in the southern colonies. One of the first acts the Continental Congress passed was to declare its jurisdiction over the Indian tribes. This act which was passed July 12, 1775, created the Northern, Middle, and Southern Departments of Indian Affairs. The purpose of these departments was to preserve peace and prevent the Indians from participating in hostilities between the Crown and the Colonies. It is interesting to note that Benjamin Franklin and Patrick Henry were two of the early commissioners. In 1786 the Congress of the Confederation passed an ordinance following the Colonial example and established two departments of Indian affairs. A superintendent was placed at the head of each department and was under the supervision of the Secretary of War. Each superintendent had a license to live and trade with the Indians. It would seem logical to assume that the relationship between the Federal Government and the American Indian began when government in the United States was being founded. As the country grew in stature and size the men in government followed the example of their founding fathers, and continued to regulate trade and make treaties with the Indians. As a result of this, Indian affairs in the western states have been more closely associated with the Federal Government rather than state governments.

Is the Federal Government responsible for handling Indian Affairs?

Indian affairs have been the responsibility of the Federal Government since the Federal Government was established. The regulation of commerce and the making of treaties with the Indian tribes were functions of the Federal Government provided for by the Constitution. While many of the provisions of the treaties have been fulfilled by the Federal Government because the time limit on the services promised has expired, the Federal Government still continues to provide services for Indians which they are unable to obtain from county or state sources. The Snyder Act of 1921 (47 Stat. 208) provided substantive law for appropriations covering the conduct of activities by the Bureau of Indian Affairs. The scope and character of the authorization contained in this Act were broadened by the Indian Reorganization Act of 1934 (48 Stat. 984). In 1924 the full rights of citizenship were given to Indians by the Act of March 2 for those who had not previously acquired citizenship by special law or treaty. This Act made the Indians citizens of the United States and of the states in which they reside. Some states contend, however, that Indians are the sole responsibility of the Federal Government because of their special relationship to the Federal Government, and that the states have no responsibility for rendering services to their Indian citizens. This apparent conflict in laws and attitudes has not as yet been resolved by the various governmental agencies.

How does the Federal Government discharge services to the Indian?

The Bureau of Indian Affairs, Department of Interior, serves as the medium of the government through which services are made available to the Indian. The Bureau of Indian Affairs provides services to conserve the economic assets of the Indian people, train the Indian people to adjust socially and economically to the dominate culture of the United States, educate Indian people, make services available to the Indians that are not made available through other agencies of government, and to provide for the termination of federal services at the appropriate time.

When was the Bureau of Indian Affairs established?

When the War Department was established in 1789 Indian Affairs were transferred to the Secretary of War from Congressional Committees. The Bureau of Indian Affairs was created within the War Department in 1824, and eight years later the President was authorized to appoint an Indian Commissioner. The organic law on which the administration of Indian Affairs is based was the Act of June 30, 1834, when the Indian Affairs Department was organized with specific duties. The administration of Indian Affairs was transferred from the War Department to civilian administration in the Department of Interior in 1849.

What type of policy was established by the Bureau of Indian Affairs?

The policy of the Federal Government, as executed by the Bureau of Indian Affairs, has varied from time to time depending on the actions of Congress. The military point of view was used in determining policy in the early years of the Indian Bureau. The early philosophy that the Indian was a "Vanishing American" resulted in a policy of service to the Indian until the race became extinct. The Indian race did not vanish, but increased at a very rapid rate. The present policy calls for the termination of federal responsibility for administering the affairs of the various tribes as rapidly as the circumstances of each tribe will permit.

What are the primary areas of authority within the Bureau of Indian Affairs?

There are three primary areas of authority within the Bureau of Indian Affairs. The Central Office in Washington, D. C., is, in effect, the office of the Commissioner of Indian Affairs, who is responsible for all of the activities of the Bureau. The Bureau of Indian Affairs has divided the continental United States and Alaska into eleven geographical administrative areas. Each of these is known as an "Area" and is under the supervision of an Area Director who is responsible to the Commissioner for all activities in his "Area". Subordinate units of organization in the "areas" are known as "Agencies" and "Local Facilities." Each of the Agencies and Local Facilities is under the supervision of a Superintendent who is responsible to the Area Director for all activities on the local or reservation level. Indian agencies, non-reservation schools, and independent irrigation projects, and Area Field Offices are considered "Agencies and Local Facilities".

What are the functions of the various organizational levels of the Bureau?

Each of the three organizational levels differ in function and composition. The top organizational level is the Central Office under the direction of the Commissioner of Indian Affairs. The office of the Commissioner formulates policies, procedures, standards, develops plans, reviews operations, and coordinates activities related to the various functions in which the Bureau is engaged. The Commissioner's office consists of an Associate Commissioner, four

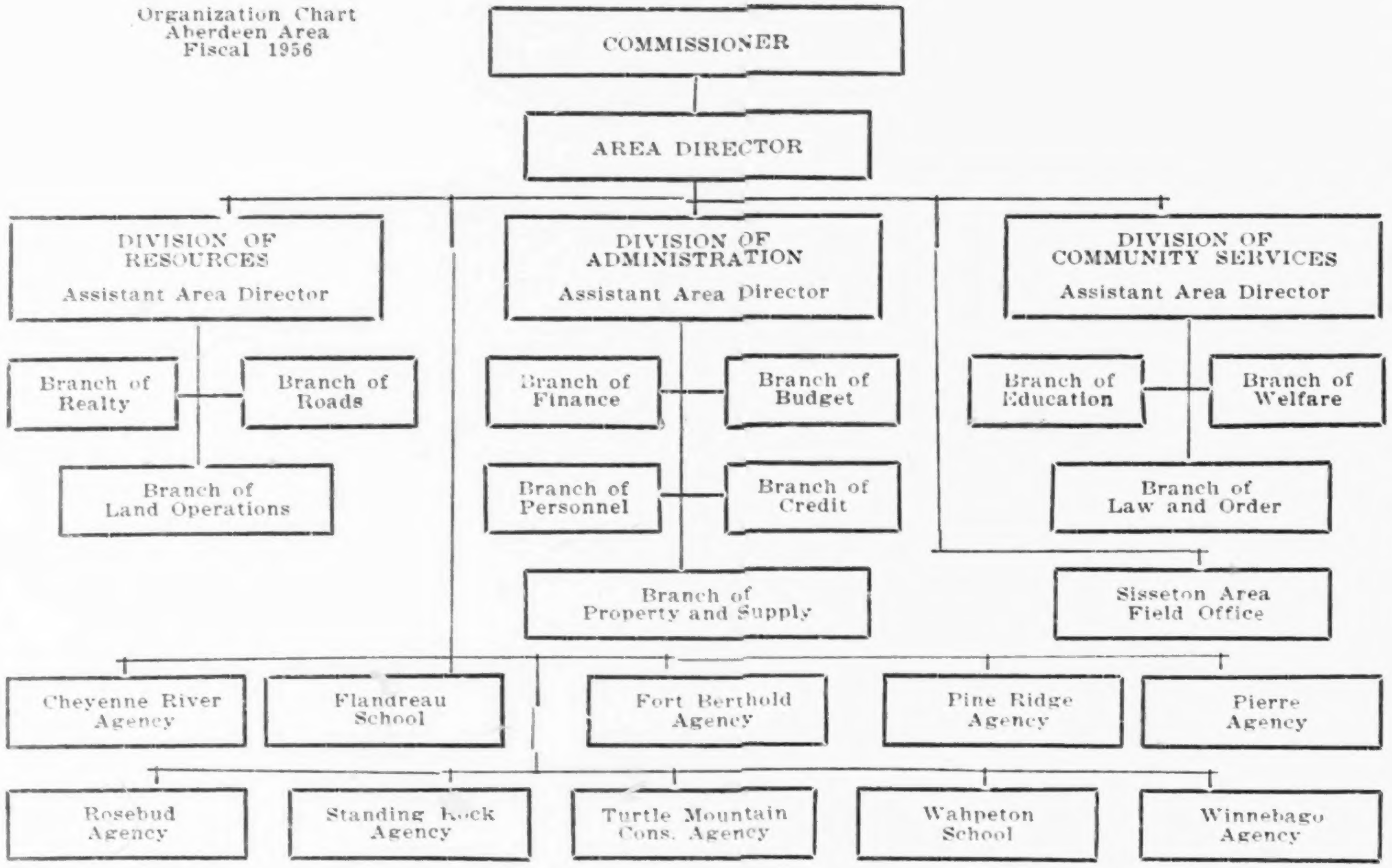
Assistant Commissioners, and two Assistants to the Commisioner. The functions are divided into a Division of Administration, a Division of Resources, a Division of Community Services, an Office of Management Coordination, and an Office of Program Coordination.

The function of the second level, the Area Office, is to administer all Indian Service activities in a prescribed area. The Area Directors are responsible to the Central Office in Washington, and perform the functions of their office with their staff by supervising and directing field officers, performing work done more efficiently and effectively from an area-wide level, represent the Bureau with other agencies in the area, develop reservation programs with technical advice and coordinate these programs with other agencies, appraise field activities, and recommend changes in policy and activities.

The third level of Bureau organization constitutes the Field Office where the actual work with the Indians is done. All the activities of the Central Office and Area Office are directed at the Field Office. The Superintendent of the Field Office is responsible for coordinating, directing, and controlling all local activities in accord with policies, standards, and procedures which have been established by the Commissioner to the end of accomplishing program objectives. These field offices vary in character and function depending on the type of work. For example, the functions differ from an Indian Agency to a non-reservation boarding school.

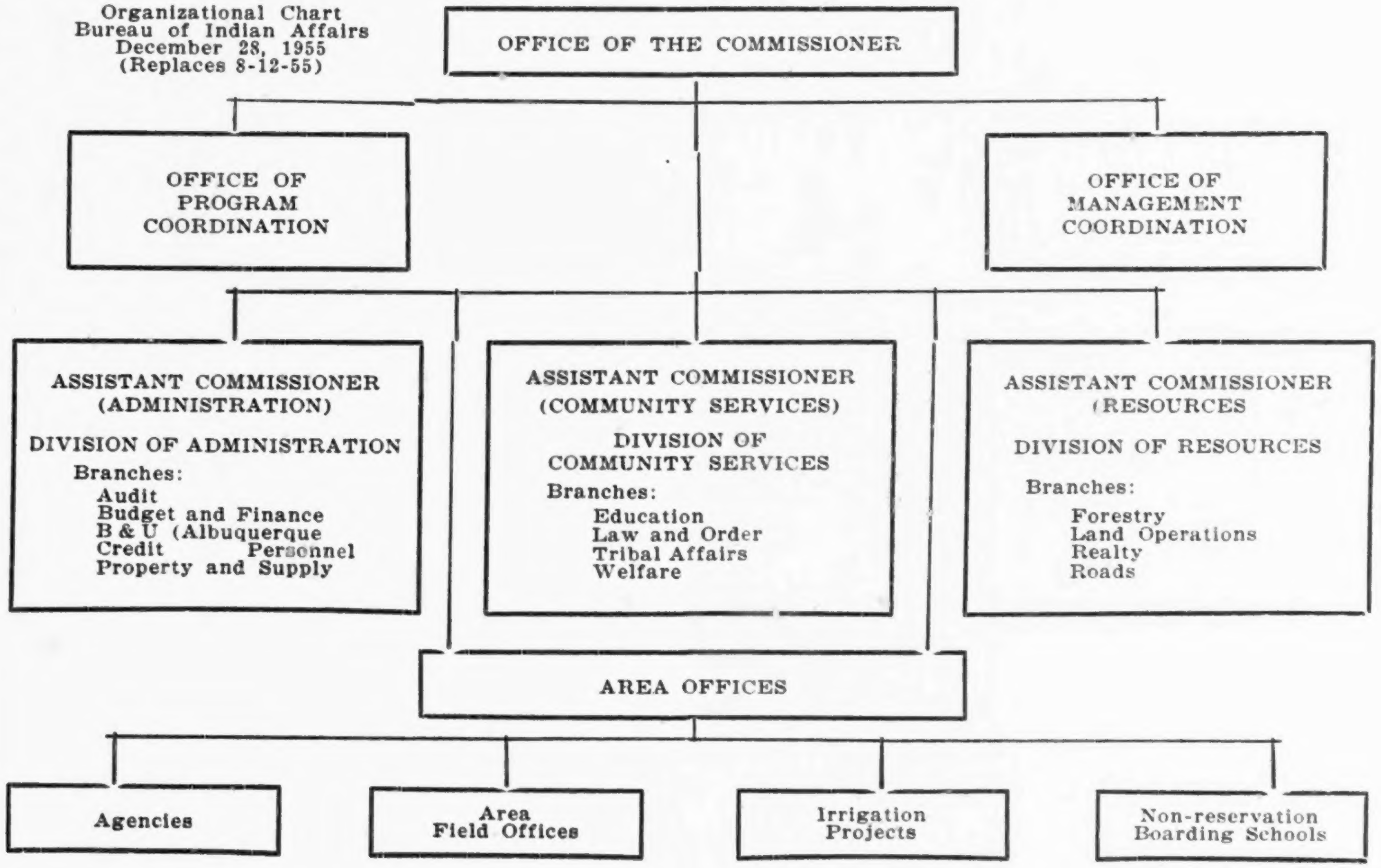
What is the organizational structure of the Bureau of Indian Affairs?

On the following page(s) are two organizational charts of the structure of the Bureau of Indian Affairs. Figure 1 is of the Central Office, and Figure 2 is of the Area Office located in Aberdeen, South Dakota.



Organization Chart
Aberdeen Area
Fiscal 1956

COMMISSIONER
AREA DIRECTOR
DIVISION OF RESOURCES
Assistant Area Director
DIVISION OF ADMINISTRATION
Assistant Area Director
DIVISION OF COMMUNITY SERVICES
Assistant Area Director
Branch of Realty
Branch of Roads
Branch of Land Operations
Branch of Finance
Branch of Budget
Branch of Personnel
Branch of Credit
Branch of Property and Supply
Branch of Education
Branch of Welfare
Branch of Law and Order
Sisseton Area Field Office
Cheyenne River Agency
Flandreau School
Fort Berthold Agency
Pine Ridge Agency
Pierre Agency
Rosebud Agency
Standing Rock Agency
Turtle Mountain Cons. Agency
Wahpeton School
Winnebago Agency



Organizational Chart
Bureau of Indian Affairs
December 28, 1955
(Replaces 8-12-55)

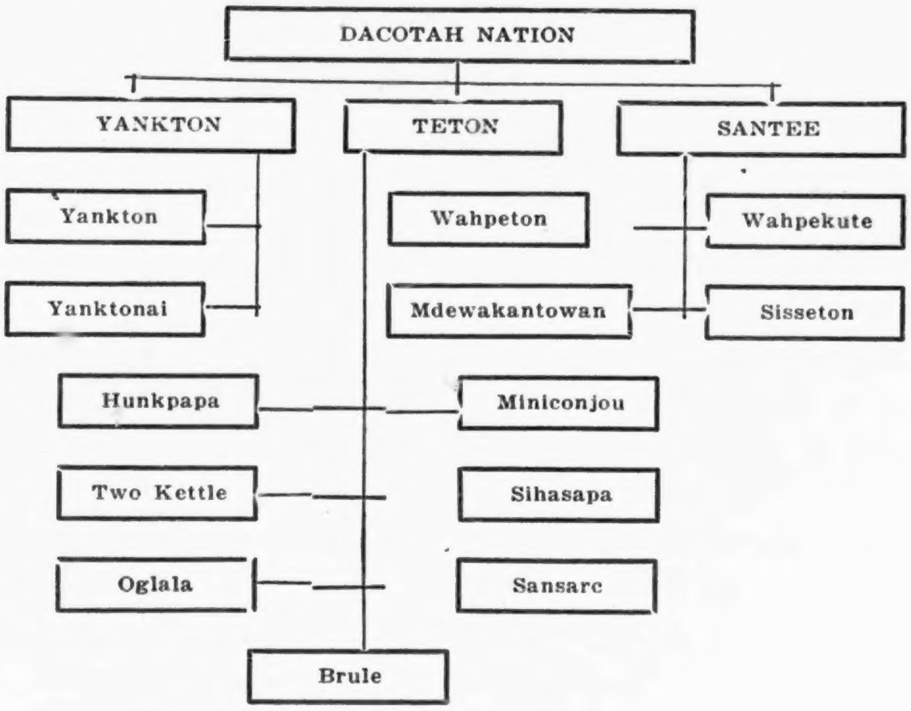
OFFICE OF THE COMMISSIONER
OFFICE OF PROGRAM COORDINATION
OFFICE OF MANAGEMENT COORDINATION
ASSISTANT COMMISSIONER (ADMINISTRATION)
DIVISION OF ADMINISTRATION
Branches:
Audit
Budget and Finance
B & U (Albuquerque
Credit
Personnel
Property and Supply
ASSISTANT COMMISSIONER (COMMUNITY SERVICES)
DIVISION OF COMMUNITY SERVICES
Branches:
Education
Law and Order
Tribal Affairs
Welfare
ASSISTANT COMMISSIONER (RESOURCES
DIVISION OF RESOURCES
Branches:
Forestry
Land Operations
Realty
Roads
AREA OFFICES
Agencies
Area Field Offices
Irrigation Projects
Non-reservation Boarding Schools

TRIBAL GOVERNMENT AND INDIAN AFFAIRS

What form of government did the Indians have before the coming of the white man?

The exact details of the organization of tribal government before the coming of the White man are not known. However, from historians and Indian people information is available as to how tribal government functioned. In theory it would be possible to set up a structure of governmental organization that would be reasonably accurate.

The Dacotah Nation is composed of three main bands or tribes. These in turn are composed of thirteen recognized sub-bands. The thirteen sub-bands in turn are broken down into small bands which are composed of an extended family unit. The main bands of Dacotah are closely related, and speak the same language with a few minor differences. In fact the traditional name, Dacotah, implies an alliance of friends. The following chart shows the relationship of the various bands:


DACOTAH NATION
YANKTON
TETON
SANTEE
Yankton
Yanktonai
Wahpeton
Mdewakantowan
Wahpekute
Sisseton
Hunkpapa
Miniconjou
Two Kettle
Sihasapa
Oglala
Sansarc
Brule

This chart does not mean to imply that all of the bands of the Dacotah Nation functioned as a single governmental unit, but during times of distress alliances were made for their common welfare. Each of the bands had a governing body, and oficials who maintained order. The number of officials in each group may have varied, but the following explanation is based on a fairly large sized band.

In the camp the tepees were arranged in a circle. In the middle of the circle was the council tepee. The council tepee was the center of activity of the government. The "legislative" body or governing body of the camp was composed of the leading men in the band. This governing body selected seven of the wisest chiefs to be responsible for the daily activities of government. These seven chiefs delegated their authority to four appointed men. These four younger men were known as "Shirt Wearers", and were in charge of the general welfare of the camp. The "Shirt Wearers" could well be considered the "executive" body. The seven chiefs and the "Shirt Wearers", in turn, appointed four men of lesser standing who were known as the "Wakicunzas" or planners. These four men organized and controlled the camp under the direction of the "Shirt Wearers." The Wakicunzas selected two helpers known as "Chief Akicita", who, in turn, selected two more Ackicita. The Ackicita were the police and were usually members of some of the soldier societies in the band. The duties of the Akicita were to keep order when the tribe was traveling, attend to duties connected with the buffalo hunt, and settle the matters involving crimes of a civil or criminal nature.

Did the Indians have any form of government after they were placed on the reservations?

The structure of tribal government probably deteriorated after the Indians were placed on a reservation because of the controls exercised by the Army and the Indian Agent. However, even though the Indians were under strict supervision, it was necessary to have some form of tribal government for decisions that had to be made by the Indians while restricted to the reservations. Courts of law have often held that the Indian tribes did not completely lose all of their sovereignty, and as a result the Indian Reorganization Act of 1934 took some recognition of this and provided that the Indians could organize and adopt a constitution and by-laws.

Did the Indian tribes in South Dakota organize after the Indian Reorganization Act was passed?

All of the Indian tribes in South Dakota have an organized form of tribal government, but not all of the tribal governments have been organized under the provisions of the Indian Reorganization Act. The tribal groups that voted to accept the provisions of the Act are the Cheyenne River, Flandreau, Lower Brule, Pine Ridge, Rosebud, Standing Rock, and the Yankton. The Indians on the Crow Creek Reservation and the Sisseton Reservation did not elect to organize under the provisions of the Act.

What is the purpose of tribal government?

The main purpose of tribal government is to give the Indians some form of self-government in an attempt to improve the social and economic problems on the reservation. It can also be considered a program in which the Indian people themselves help to decide how they can help in solving the "Indian problem".

How does tribal government function?

The tribal government revolves around a tribal council which is elected by the eligible Indian voters on the reservation. A president or chairman is elected to be the representative head of the council with a full slate of other officers. In addition to the officers, other council members are elected from the various districts on the reservation, except for Flandreau which adopted the "New England Town" form of government. The tribal government is similar to that of a municipality or county government. The tribe may have a law and order code, and a tribal court in which Indians are tried for crimes that are committed on the reservation, with the exception of ten crimes that are pre-empted by the Federal Government. The main difference being that the tribe derives much of its authority from inherent powers not taken away by Acts of Congress, or delegated to it by the Federal Government.

What is the jurisdiction of tribal government?

The criminal jurisdiction of tribal government is limited to tribally enrolled Indians under federal supervision on the reservations. Membership rights and the use of tribal property is under the jurisdiction of the tribal government regardless of residence on or off the reservation. The tribal governments on the several reservations in

South Dakota represent some 30,000 Indians, with the concurrence of the Secretary of Interior, and manage and supervise tribal lands. The allotted trust lands are administered by the Federal Government with the concurrence of the Indian owners.

VESTIGES OF THE PAST AND MODERN PROBLEMS

Why is there an Indian problem?

There are many facets of the "Indian problem" that need to be explained when giving reasons why there is an "Indian problem". The Indian people present a problem to the government and to society because the Indian has failed to adjust to society in America, this failure exists because of the lack of time and training needed by Indian people to make the adjustment. Usually the Indian is judged by the standards of the White man, and because he fails to meet these standards he is said to present a problem. The Indian is not mentally inferior to the White man, and he is capable of meeting the standards imposed upon him by an alien culture—but he has never been given the educational opportunities or the experience of living in a "White World" to prepare him to adjust satisfactorily to the "White Man's" way of living. The isolation of the Indian on the reservation, and his economic situation, causes a problem in itself; the concentration of economically depressed people on a reservation multiplies and magnifies other problems related to the low income groups. Many reasons can be given as to why the Indian creates a problem—or has had a problem created for him—the fact remains that the Indian is caught in a snare of a changing life where he must learn to live by the standards of a new society and a new culture.

Why does a change in culture create a problem?

A change in culture causes a problem for some of the older Indian people because they are expected to live by the "White man's" standards, yet they prefer to live by vestiges of their old way of life. Many of these vestiges are not in accord with the White culture, this makes the Indian different than the white man—and a problem is created. Many of the old customs die hard, and usually only when those who lived by them die. As long as there are cultural differences there will be problems, but when the Indian assimiliates the White culture, or the Indian culture blends with the White culture, then no problem will exist.

What are some of the "vestiges" that retard the assimilation of the Indian?

SHARING FOOD AND SHELTER. This was fine when the men could hunt and bring in meat, and when all realtives lived by the rules of interdependence and loyalty, whatever the cost. Interdependence and loyalty were the cement that, at one time, held the tribal structure intact. All were related, and the relationship of one person to another stretched on until it encompassed large families, then the camp circle, and then the entire Dacotah speaking people. Any Dacotah could say of another Dacotah: "He is the same as I, for he is a Dacotah, too." As a result of this intricate relationship of all people, and a strict adherence to the "code of relatives", all things were shared. This was fine in the old days when the buffalo were plentiful, but now this mutuality of obligation breaks down because of the depressed economic condition of the Indian people. Some can share food and shelter, but others cannot because of their meager existence. Regardless of economics, the obligatory responsibility of helping one's relatives is so strong that none can be turned away, so food and shelter are still shared only to create overcrowding and insufficient diets, rather than the warmth and love and friendship so cherished and so wanted during a time long since past, and lost forever.

THE IDEA OF GIVING. At one time wealth was determined by what one could give rather than what one could save. Today among the Dacotah people the idea of giving still exists, but "giving" is working out of season. Whether or not they can afford it Indian people still give feasts, and give away things that they can ill afford to give. Death feasts are out of devotion to the dead, "The best for our dead, at whatever the cost to the living," was at one time a tacit rule. Fear of criticism and ostracism is still strong and sometimes mourners feel that they are compelled to conform to the old customs. There are also the "giveaways" and feasts for the returning soldiers and the newly married. A desire for possessions for accumulation and keeping, which characterizes people of European origin, is still very weak against the "giveaway". In the past the very character of the people's lives made for a fluid passing around of things, and militated against hoarding—it was needless to cart around useless possessions.

PRIDE OF BEING A DACOTAH. "We are still Dacotahs," is a very reassuring remark. "So come and eat; come and stay here if you have no other place. . .you can depend on us. . .we are not aliens. . ." Such ideas are implicit in remarks that can be made by anyone, and sometimes one is driven by some inner knowledge of a vestige of the past to so act in a native "lordly" manner. One does this even though he knows he cannot afford it, and also because he is proud of the history of his people and his race.

LINGUAL AFFECTATIONS OF LIVING. Business acumen and a sense of monetary values are undeveloped in most of the Dacotah people. Material things did not count much in the past, and there was very little real barter. "This for that is of equitable worth," was unheard of between relatives. To this day, in the language, and occasional reversion to the customary way of saying "I bought this," is to say "I took this." "He sold it to me," is "he gave it to me," "I paid him" is "I gave him." The philosophy of the language and its peculiarities show the manner of thinking to which he was born...The sharing, giving, pride of being one whose way of life is to share and give, and the language itself denoting his generosity is completely alien to the White man's way of living. To the White man success is measured by what he has acquired, and what he can save. The old world knowledge and concepts of the White man are at variance with the Red man's knowledge and concepts, but as long as the culture and the society brought from Europe are dominant in this country the Indian will be different, and a problem, until he can fully accept the White man's way and blend bits of his culture into the dominant culture.

Are "vestiges" of the old way of life the only factors that retard the assimilation of the Indian?

Many of the reasons why the Indians have not assimilated as fast as many people think they should stem from vestiges of the past. Probably some of the most important factors that have affected the Indian is the lack of educational opportunities and facilities to assist in the adjustment, and concepts of Indians that are alien to a rapid adjustment. Many of the modern problems faced on the reservation today are a result of the vestiges of the past, and the lack of educational background to facilitate adjustment to the present.

RURAL AND URBAN

Where do the Dacotah people live in South Dakota?

Most of the Dacotah people live on the nine Indian reservations or jurisdictions located in South Dakota. The majority of the Indian population is concentrated in counties west of the Missouri River and the four small reservations and jurisdictions in eastern South Dakota. Some of the Indian people live in the many small towns, on or adjacent to the reservation, and the larger towns or cities away from the reservations.

Why are there Indian reservations?

Indian reservations exist mainly because of the treaties made between the United States Government and the Indian Nations. The Indian reservations at one time were set aside to restrict the Indian to certain areas, but enabling him to continue his hunting economy. As more and more settlers moved into this area, and with the discovery of gold, it became necessary, through treaties, to reduce the land area of the reservations. At one time the Dacotah people claimed the sum of seventy-seven thousand square miles of South Dakota—today they own less than nine thousand square miles.

What is an Indian reservation like?

The vastness of South Dakota encompasses several Sioux or Dacotah Indian reservations. Some are on the rolling western prairies, some along the Missouri River Valley, and others in the eastern farming area. They are somewhat different geographically, but all are similar in economic base and social activity. The Indian Agency is the center of activity for the Indian people; here their land is leased or sold, applications are made for boarding or mission school enrollment for the children, tribal councils convene for the purpose of handling tribal affairs, applications are made for tribal or governmental educational loans, and employment is sought through the Relocation Program. Most of the people come to the Agency on "office day", a day specifically set aside by Agency officials to handle personal needs and problems, to care for business matters, or to visit or gossip with friends.

After leaving the Agency one could travel the dirt and gravel roads to see that the reservation lands are used primarily for grazing and farming. One would notice the farm and ranch homes of both Indians and non-Indians, or the lonely log houses of Indian families. Also, one could find the small Indian communities huddled along the banks of rivers or streams. A close investigation would reveal small log structures, tents, and brooder houses left from W.P.A. days. These are the homes of the majority of the reservation Indians. Near these communities would be found small chapels and churches of several denominations. All of the Dacotah people are Christians; in fact, to find one that is not would be a rarity. Church activities are of great importance to the Dacotah, and usually much effort is exerted in church activities. The Christian religion is a significant factor in the life of most Indians. The activities of the clergy and schools of the various denominations have Christianized the Dacotah people, and in the early history of the state missionaries of the Presbyterian, Congregational, Episcopal, and the Roman Catholic Churches played an important part in converting the native Americans.

Are all the Indians on reservations living in poverty or near-poverty?

The majority of the Indian people on the reservations live with the minimum essentials of life. Modern conveniences such as plumbing and electric current are almost nonexistent. A small number of the Indian people, who are trained and skilled, work at the Indian agencies. Also, a small percentage earn a living with farming programs and ranching enterprises. Many Indian people depend on seasonal labor, both in South Dakota and neighboring states. This seasonal labor includes harvesting hay, grain, sugar beets, and potatoes. Part of the year the people can find no employment, if they are unskilled laborers, and must depend on governmental relief agencies for part of their support.

What are the living conditions of the Indian people on the reservation?

Indians on the reservation generally live on their allotted land or in well-organized community groups. The community groups are interesting in that they are definitely organized with a community chairman and other officers; there are standing committees on welfare, law and order, health, and education. The officers chosen by the community usually serve for one year. The committees meet frequently for social activities, to discuss local and political problems, and adult education programs.

Generally speaking, the standard of living of the Dacotah on the reservation is substandard. Evidence of the low economic level can easily be seen by the small inadequate housing. On one reservation the average number of people per household is 4.7, but the range of people per household is one to fourteen. The majority of the houses are one and two room buildings, this includes houses constructed of log, clay, stucco, or stone. Some frame houses of one or more rooms were built during the depression years as a form of rehabilitation. Most of these homes are now in poor repair.

HOUSING 1950*

Reservation	Log	Frame	Stucco Clay Stone	Misc.**	Tents
Cheyenne River	62%	28%	....	10%	....
Crow Creek	14%	67%	....	16%	3%
Flandreau	....	100%	....	....	....
Lower Brule	9%	58%	....	....	4%
Pine Ridge	60%	20%	....	20%	....
Rosebud	60%	30%	....	....	10%
Sisseton	....	100%	....	....	....
Standing Rock	61%	15%	....	24%	....
Yankton	10%	75%	5%	....	10%

Is it true that Indians receive gratuity payments from the Government?

Many people are under the impression that Indians receive a monthly check from the Government—this is not so. The impression given is that an Indian, just because he happens to be an Indian, receives a gratuity payment from the Government. Indians do receive checks from the Federal Government. Some of the money is income from land sales or leases. This money is deposited by the lessee or buyer at the Agency office, and then checks are written by Bureau of Indian Affairs officials and made payable to the individual Indian. Other Government checks that Indians receive include general assistance for relief of needy people, and pensions. Indians do not, however, receive money just because they happen to be Indians.

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*Subcommittee on Indian Affairs of the Committee on Public Lands. **Compilations of Material Relating to the Indians of the United States and Alaska, including Certain Laws and Treaties Affecting Indians**. 81st Cong., 2nd Session., 1950, GPO, Washington, 1953.

**Miscellaneous would include shacks and tents where tents are not listed separately.

Is it mandatory that an Indian live on a reservation?

An Indian is not restricted to living on an Indian reservation. He is free to leave or enter the reservation areas as he desires. The majority of the Indian people do live on reservations. Many, however, live away from the reservations as well-adjusted citizens; usually these Indian people have not lived under the direct influence of reservation living. Some of the Indians who leave the reservations are not skillled and do create problems in non-reservation communities. Some Indians never leave the reservations, while others travel off and on quite frequently.

Do Indians leave their reservations permanently?

Many Indians leave the reservations and migrate to cities or towns. They leave the reservations because of the lack of employment opportunities, and because the natural resources of the reservation, including land, are not adequate to support the entire Indian population.

Where do Indians go after leaving the reservation?

The majority of the Indians who leave the reservation seek employment, and as a result move to cities or towns. A very small minority may leave the reservation to seek employment on ranches or farms contiguous to Indian reservations. The towns or cities to which the Indian people move are usually a short distance from the reservation; the Indians are hesitant to move a greater distance from their home area because of strong family ties and kinship relations, lack of social skills, and fear of the unknown.

What problems do the Indians face after leaving the reservation?

For most Indians a decision to leave the reservation and establish a home in a new non-reservation community requires a major social and economic adjustment. It means that family ties are either partially or completely broken. The individual or family must go into a new and unfamiliar community and adjust to the situation he finds there. The experience of moving into a new community is trying at best, but for the average person it is just a matter of time until he becomes acquainted and adjusted to the community. —this is not always so with the Indian and his family. Many of the cities or towns to which the Indians move have communities in the lesser areas of the city populated by previous Indian migrants, and this is usually where the new arrivals will reside. Many Indian families experience discrimination, whether it be actual or imaginary, either when seeking employment or upon attempting to enter religious or social activities of a non-reservation community. This represents a few of the disheartening and discouraging experiences which cause many Indian families to become frustrated, and lose their desire to continue an independent existence. Such families not only fail at their attempt to assimilate but upon their return to the reservation serve as an example of how difficult it is to make the change.

What vocations do the Indians seek after leaving the reservation?

The majority of the Indian people that leave the reservation are either semi-skilled or unskilled laborers; people of this rank obtain employment of a seasonal or temporary nature, and often return to the reservation during periods of distress or unemployment. Some of those who leave the reservation are trained and possess skills, giving them the opportunity to obtain steady employment which enables them to develop a satisfactory standard of living.

What problems are created by Indian people living off the reservation?

Of the many Indians leaving their reservation homes a small number have been able to make a satisfactory adjustment. These people have bought lots and homes of some sort, and generally fit into the life of the community quite well. The others, however, live in camps which the cities do not favor, and many of the townspeople resent Indian people living in their community. Thus, the off-reservation movement, which should result in assimilation and acceptance of off-reservation Indians, tends to produce segregation and discrimination. Services for Indians such as relief and welfare are not always made available for the many cases of need developing during inclement weather. In many instances, Indians have to return to the reservation to receive aid, and on the reservation applications for relief are not accepted because the applicant has been away from the reservation. These people create a school problem in that they crowd into schools already filled to capacity, the children cause a truancy problem, and the Indians, in the opinion of the White man, do not contribute a sufficient amount in taxes.

What conditions exist in towns into which Indians move?

The income of the Indian, from the type of employment in which he is able to engage, is usually insufficient and does not enable him to rent, buy, or build regular houses. This results in many living in camps at the edge of towns where their lodging consists of small houses, shacks, and tents. In many instances, there is no available water supply, no garbage disposal facilities, and the general condition of the camp is unsatisfactory by any standard. The living situation of the people off the reservation does not differ markedly from those on the reservation.

What cities or towns in South Dakota have large Indian populations?

Rapid City, Winner, White River, Lake Andes, Pierre, and Sisseton have sizeable Indian populations. There are also a number of other towns and villages with a high percentage of Indians, but they are located on the reservations and do not constitute a similar problem. The greatest concentration of Indians in an off-reservation community is in Rapid City. It is estimated that there are over 4000 Indians living in Rapid City.

Why do so many Indians migrate to Rapid City?

There are a number of factors explaining the migration of Indian people to Rapid City. Rapid City offers opportunities of employment that are not available on the reservation. Since Ellsworth Air Force Base was established in Rapid City, and the city expanded, more opportunities have been made available. Another reason is the fact that the Sioux Tuberculosis Sanatorium is located at Rapid City, and many move to the city to be near relatives who are patients at the sanatorium. Some move because of the attractions of the city. Once the movement was started others followed without any particular reason, and as a result there is a large Indian settlement which has not been absorbed by the city socially or economically.

Is anything being done to alleviate the problems existing in non-reservation areas?

Civic groups in the various cities are attempting to assist their Indian neighbors. Much of this is made possible with the assistance of various religious organizations, welfare agencies, and federal, county, and city officials. The task of relieving this problem is something that cannot be done very rapidly because of cultural differences and other obstacles that must be overcome.

Are any of the non-reservation communities making any effort to improve the conditions of Indian citizens?

There are three off-reservation communities in South Dakota that are attempting to assist in adjusting Indian residents to urban living. These three cities are Rapid City, Winner, and Pierre. Rapid City has taken a very active part in attempting to help Indian people. The Mayor's Committee on Human Relations in Rapid City has a well organized program to help minority groups. In addition to the Mayor's Committee on Human Relations there are two religious organizations that provide services for Indian people. These are the Mother Butler Center, which was established by the Roman Catholic Bishop of Rapid City in 1949, and the Community Service Center, which was established in 1951 and sponsored by Protestant Churches working together through local, state, and the National Council of Churches. The two centers are similar in character and purpose in that they seek to serve low income groups of all races. The centers make facilities available for laundering, showers, adult education, children and young people's recreation and education, personal counseling and religious help in seeking to aid Indian families in establishing a church home in the community, employment information, and some health facilities. In addition, both centers serve to distribute surplus commodities for relief purposes for needy Indian families. The Mother Butler Center opened Madonna Hall in December of 1955, as a boarding home for Indian girls. The centers also serve as a focal point for groups of Indian people to meet and discuss problems common to them in the city and in connection with their tribal organizations on the reservation. The Black Hills Council of Indians in Rapid City is one such organization of Indian people that is particularly concerned with the relationship of off-reservation Indians to programs of rehabilitation that are taking place on some of the reservations.

In Winner the Tripp County United Church Women have begun an Indian Center. The purpose of this center is similar to that of the Community Centers in Rapid City, but has not as yet developed to a similar extent.

Pierre has recently established an organization composed of all churches in the city to work with minority problems.

ECONOMY OF THE DACOTAH

What was the ancient economy of the Dacotah?

The economy of the Dacotah people before the coming of the White man was an economy of the chase. The main stay of the economy was the buffalo. The Indian people of the past were predominately nomadic hunters and after the Dacotah people were required to settle on a reservation their lives were altered completely. It was necessary for them to change from a nomadic to a sedentary life, and being confined to the reservation they could no longer go to the hunting grounds and fulfill their needs. Instead of acquiring their own food and provisions the Federal Govern ment began to ration it. This rationing system is a forerunner to many of the problems faced by the Indians today. The idea bred by the rationing system was one in which the "Great White Father" through treaties and promises would give the Indian the necessary requirements to sustain life "until the rivers quit flowing and the grass quits growing". As a result of this, an attitude of dependency on others, as a matter of right or entitlement, exists among many of the Dacotah people of today.

What is the economic base of the reservation today?

Land is the only resource of any consequence on the reservations in South Dakota. There is also timber, cattle, and crops. All of these resources, however, hinge upon the land. The land resources are not sufficient. If all Indians were interested in living on the land probably less than fifty percent could be sustained by it. Industrial development is negligible. The Indian population on the reservation is faced with the alternative of leaving the reservation to gain employment, or of remaining on the reservation with limited employment opportunities.

The following chart shows the amount of land on each reservation in South Dakota in square miles. This is information based on statistics available June 30, 1955, and is land that is under the jurisdiction of the Bureau of Indian Affairs.

Cheyenne River Reservation:

Type of Ownership:	Square Miles
Tribal	1179.28
Allotted	1175.80
Government-owned	9.45
Public Domain	1.25
TOTAL	2365.78

Crow Creek Reservation:

Type of Ownership:	Square Miles
Tribal	16.96
Allotted	216.43
Government-owned	33.81
TOTAL	267.20

Flandreau Santee Sioux Reservation:

Type of Ownership:	Square Miles
Tribal	3.28
Government-owned	1.00
TOTAL	4.28

Lower Brule Reservation:

Type of Ownership:	Square Miles
Tribal	63.70
Allotted	128.80
Government-owned	23.13
TOTAL	215.63

Pine Ridge Reservation:

Type of Ownership:	Square Miles
Tribal	776.06
Allotted	2105.24
Government-owned	84.25
TOTAL	2965.55

Rosebud Reservation:

Type of Ownership:	Square Miles
Tribal	600.76
Allotted	1030.85
Government-owned	59.05
TOTAL	1690.66

Sisseton-Wahpeton Reservation:

Type of Ownership:	Square Miles
Tribal	1.02
Allotted	170.98
Government-owned	.28
TOTAL	172.28

Standing Rock Reservation:

Type of Ownership:	Square Miles
Tribal	266.82
Allotted	709.10
Government-owned	10.75
TOTAL	986.67

Yankton Reservation:

Type of Ownership:	Square Miles
Tribal	8.91
Allotted	56.87
TOTAL	65.78

The Sisseton-Wahepton and the Standing Rock Reservations lie in both North and South Dakota. The above information on these two reservations relates only to lands in South Dakota.

Why is the land base insufficient to sustain the Indian people?

The insufficiency of the land on the Indian reservations in South Dakota can best be exemplified by excerpts from the Rosebud Reservation Program as reported in 1950. Comparable instances exist on almost all of the other reservations. On the Rosebud Reservation in 1950, an Indian, to live on a comparable level with his neighbors, would have needed a yearly income of $1500. In order to earn this amount one would have had to farm 320 acres of farm land planted with small grain and some diversified farming. There was, in 1950, on the Rosebud Reservation, 205,005 acres of Indian and tribal farming land. If all this land had been used it would have provided farming opportunities for some 600 of the 994 families at 320 acres per family. The farming land, however, is scattered, and is located primarily in Tripp and Gregory Counties. Many of these tracts are isolated and do not encompass 320 acres of contiguous and adjacent Indian property. In the western part of Rosebud Reservation where there is less rainfall a farming project would require 480 acres. (In order to provide sufficient farm acreage for Indians interested in farming in 1950 it would have cost approximately $1,000,000.00.) It is also difficult for cattle projects to be the base of the Indian economy because of the need for more acreage to support the cattle. Experienced cattlemen estimate, after taking all factors into consideration, that an operator could expect a net return of $15.00 per mature cow per year. It requires 23 acres to sustain one cow on the Rosebud Reservation, and at a yield of $15.00 per head, 2300 acres would be needed for 100 head of cattle to receive the $1500 income. More land would also be needed to assist people interested in ranching enterprises. Serious questions arise about buying more land; prices would increase because of "seller's market", and other problems would arise when and if the land would be taken off the tax rolls. In addition to the insufficiency of the land base-population ratio the Indian population is increasing because of improved health measures that are reducing the death rate; Indian land is being sold to non-Indians at a very rapid rate; and the mechanization of agriculture requires large acreages. All of these factors are affecting the Indians economic situation and militate against the opportunity of making a living in agriculture.

What are some of the problems concerning Indian land?

The land owned by the Dacotah people creates many diversified problems. Some are problems for the Indian and some for the White man. The problems faced by the White man are created because Indian land held in trust by the Federal Government reduces the tax base of the areas where there is an Indian reservation. Also, there is difficulty encountered by many white men when they desire to purchase or lease Indian land or control weeds. Weed control is a problem because White lessors do not have continuous control of Indian lands to do an effective job of controlling weeds, or different lessors may not wish to control weeds because of short-term leases. This problem of weed control is one of the major projects of the South Dakota Indian Commission.

The most complex problem relative to Indian land is caused by inheritance. Much of the Indian land has been divided among heirs for many years. Many of the people having a fractionated interest in the land do not have sufficient income from the land to make it worthwhile financially. Often checks received by people, having fractionated interests in heirship lands, are less than ten cents.

What is the average income of Indians in South Dakota?

According to the 1950 Census the information on incomes is given for White and non-White. In South Dakota the non-White population can be considered as being the Indian population. The median family income in South Dakota according to the 1950 Census was $2771.

According to House Report No. 2503, Eighty-second Congress, second session, the following information was given on average yearly earned and unearned family incomes:

Reservation	Average Family Income
Cheyenne River	$1,620.00
Flandreau	900.00
Crow Creek	635.00 (earned) 532.00 (unearned)
Lower Brule	1,238.00 (earned) 576.00 (unearned)
Pine Ridge	1,290.00
Rosebud	1,035.00
Sisseton	790.00
Standing Rock	767.00
Yankton	730.00

The above information includes all of the members of each family. Unfortunately this report did not give income per individual. House Report No. 2503 also gave information on the number of Indian people employed in 1950. The report shows that there are 21,333 Indians over 18 years of age; of these 2014 were employed on the reservation, and 1355 were employed off the reservation. This means that only 15.8 percent of the Indian people over eighteen were employed. Chief occupational skills were listed. Most of the Indian people came under the category of unskilled laborers, while some were skilled laborers and professional people. Many of the professional people were employed in the Indian Service.

In what fields do Indians engage?

Indian people, being human beings, develop in direct relationship to their experiences and opportunities. There are no specific fields in which the Indian is supposed to excel. For the most part, Indians have no skill to sell because of the limited opportunities on the reservation. The majority of the Indian people depend on seasonal common labor as hay hands, farm workers, or construction workers for their main economic support.

Can native arts and crafts provide a livelihood for Indians on the reservation?

Many people are under the impression that native arts and crafts can provide a lucrative livelihood for the Indian people. The production of pottery, beadwork, carving, and other handicrafts is a tedious and slow process. The time consumed in producing arts and crafts necessitates fixing prices at a level that not everyone can afford. Arts and crafts are a fine occupation to supplement incomes, but an all-out program for Indian people to produce arts and crafts would not make any significant contribution towards the solution of the economic problem of the Dacotah Indians. For continuous support skills in other fields are necessary.

Is anything being done to employ Indians or train them so they can become employable?

There are three sub-divisions of government that assist Indian people in finding employment and help individuals become employable. The Employment Security Department, and the Division of Vocational Rehabilitation are agencies of State Government that assist Indian people. The Branch of Relocation of the Bureau of Indian Affairs relocates Indian people in urban areas where employment is available. The schools serving Indians also provide training for the younger group of Indians.

What does the Employment Security Department do to assist Indian people?

The Employment Security Department is a public agency designed to provide service to the public in the fields of placement; employment counseling; testing; unemployment insurance for veterans, industrial workers, and federal employees; and providing information on labor market conditions. This agency is required by law to give preferential treatment to veterans and handicapped people. In addition, special programs and services are made available to youth and minority groups by administrative decision. The services of the Employment Security Department are administered through the local employment offices.

Services are also offered on an itinerant basis in a number of towns in the State of South Dakota. These are usually once a month for one or two days. Sisseton and Chamberlain, located near reservations, are two points of service primarily for Indians. The Employment Security Department has interviewers permanently stationed on the

Rosebud and Pine Ridge Reservations. The interviewers are of Indian descent and are given training in all phases of their work. These interviewers work under the administrative supervision of local offices located off the reservation. The interviewers take applications, counsel, and recruit for employment. These people work in close cooperation with the Bureau of Indian Affairs. During the past four years the Employment Security Departments of the states of Colorado, Nebraska, and South Dakota have worked cooperatively to facilitate employment of Indians in seasonal agriculture. The Employment Security Department in South Dakota has worked with the Government Indian Schools in the field of counseling and testing, and labor market information is made available to educational counselors and teachers.

What does the Division of Vocational Rehabilitation do to assist Indians?

The Division of Vocational Rehabilitation is an agency of State Government that provides services to handicapped people. The purpose of this division of State Government is to train handicapped people in order that they may become employable, or provide services of physical restoration to help the individual become employable. Since this program was initiated in South Dakota services have been made available to Indian and Whites alike. During 1955 an additional counselor for Vocational Rehabilitation was employed to concentrate primarily on the Indian population. During Fiscal Year 1955 there were 704 physically disabled persons receiving rehabilitation services. These services were directed toward vocational adjustment. Of the 704 people on the program ninety-two were Indians. Services were completed for 141 people during Fiscal 1955 who are now suitably employed in positions where their physical disabilities are no longer vocational handicaps. Of the total of 141 rehabilitated there were sixteen of Indian descent. The total cost of rehabilitating these 141 disabled persons was $52,523.00, or an average cost per person of $372.00. After these people were rehabilitated their total annual salary was $271,455.00; this compares with a total annual salary of $45,243.00 before they were rehabilitated. The earning power of all those rehabilitated increased by more than 600 percent. The average annual wage per person before rehabilitation was $320.00; after rehabilitation it increased to $1,925.00. The cost of rehabilitating the sixteen physically handicapped Indian people was $7,337.90. Six of the sixteen cases were closed as farm and family workers; the other ten had a total annual income of $25,528.00. After the Indian people received Vocational Rehabilitation Services they were employed in the following occupations:

House wife	2	Farm Worker	4
Clergyman	3	Stenographic clerk	2
Medical Tech.	1	Brazer	1
Carpenter	1	Teacher	1
Watch repair	1		

What does the Branch of Relocation of the Bureau of Indian Affairs do to assist Indian people?

The Branch of Relocation of the Bureau of Indian Affairs is an agency of the Federal Government that facilitates the voluntary relocation of Indian people who are unemployed or who are under-employed in appropriate year-round work; to encourage and assist their voluntary movement to areas where employment can be secured; and to assist in their adjustment in communities to which they go. The objectives of the relocation program are to assist Indians in becoming self-supporting on a standard of living compatible with standards of decency and health, and to become a part of the normal social and economic life of the Nation.

What future developments are there that may improve the economic condition of the Dacotah people?

The possibility of industrial development in South Dakota offers a partial solution to the employment and econnomic problems on South Dakota's Indian Reservations. The earthen dams on the Missouri River will develop electrical power that may attract industries. In addition to this there is a possibility of having some small factories in South Dakota that require little transportation and a maximum of semi-skilled labor. Combined efforts of the Bureau of Indian Affairs and local communities to develop industry has begun in recent years.

EDUCATION OF THE DACOTAH

What were the ancient methods of education among the Dacotah?

Before the advent of books and formalized education the Dacotah had their own methods of teaching children—not in the fundamentals of reading and writing, but in practices and principles of everyday living. Their informal education consisted of the learning of kinship observances; whereas, their formal education was received through ceremonies held at various stages of the child's development. This informal training centered around the idea of a personal responsibility for the needs of others through generosity and hospitality, the respect for the feelings of others, and the endurance of hardship and suffering. All of this training was an endless practice in human relations, fitting all into a pattern of living, through which each individual had his place in society. During the transition of ancient educational methods to the methods of education brought by the White man, many Dacotah people received an education from both schools. The training received from these two different methods often confused youngsters, and, as a result, attitudes developed that were neither traditionally Dacotah, nor in compliance with the wishes of the teachers in the "White" schools. The capacities and abilities necessary to live and earn in our society have been impaired by the conflicts resulting in individuals who were trained in these two different schools of thought.

What was the type of educational program provided for Indians after White contact?

The first educational services made available for the Indian people were through the efforts of missionaries. The Dacotah received their first opportunity for an education in the territory of Minnesota in the 1830's when protestant missionaries came to live and work among the Indian people. Missionaries of the Presbyterian, Roman Catholic, Protestant Episcopal, and Congregational faiths established schools among the Dacotah people. They wrote hymnals, prayer books, the Scriptures, dictionaries, grammars, and books in the Dacotah language. Many Indian people learned to read and write in their own language before they learned to speak, read, or write English. The missionaries were given financial assistance for a time by appropriations from the Federal Government. After the missionaries had established schools the Federal Government began to provide schools. At first these schools were of the boarding school type and were under the supervision of the Army. These schools, of course, were patterned along military lines. After Indian affairs were transferred from the War Department to the Interior Department the schools were administered by civilians. The schools were then developed into the type found throughout "Indian Country" today.

How was the first organized educational program for Indians begun by the United States Government?

In the middle of the 18th Century education for Indian people began under some very trying circumstances. A group of "hostile" Indians were taken as prisoners of war to Fort Marion, Florida. While in Florida they were taught the rudiments of reading and writing. When they were released from prison they requested that they be given a chance to live as White men. Appeals were made to schools in the North to help educate these people, but there was no response. Appeals were made to Congress for appropriations to educate these people, but the appropriations would not or could not be made. Responsible authorities of Hampton Institute in Virginia heard this appeal, and in 1878 seventeen "prisoners" from Oklahoma Territory became the first Indian scholars at Hampton Institute. The first seventeen did well enough to justify that more Indians be given a similar opportunity. The first Indians to be recruited were forty boys and nine girls from the Dacotah Nation. Hampton thrived, and enthusiasts for giving educational opportunities to Indians were responsible for opening the famous Carlisle Indian School. The first Indian students to be sent to Carlisle were Dacotah Indians. They were recruited at Spotted Tail Agency (presently Rosebud Agency at Rosebud, South Dakota), and Red Cloud Agency (presently Pine Ridge Agency at Pine Ridge, South Dakota). The students recruited at Spotted Tail Agency numbered sixty-six, of which five were children of the famous Chief Spotted Tail. Red Cloud Agency provided sixteen scholars. After the youngsters were taken to the Missouri River to be transported by steamboat two more Indian youngsters stowed-away and became prospective scholars. The two stowaways made a total of eighty-four new students that were sent to Carlisle from the Dacotah Nation.

When were the first educational opportunities made available to the Dacotah Indians?

Probably the first Dacotah Indian to learn to read and write was Mazardhamani (Walking-Bell Ringer). He learned to read and write the Dacotah language under the tutelage of the early missionaries, Samuel and Gideon Pond, in 1834. The Pond brothers came to Minnesota Territory early in 1830 from Connecticut, and did not represent any particular church. The first educational opportunities provided Indians, in what is now the State of South Dakota, were probably at Yankton Agency in the winter of 1857-58. A relative of the Indian agent taught several half-breed and White children. Schools were definitely established before the Indians were restricted to reservations by the Act of March 2, 1889. John P. Williamson, Bishop Hobart Hare, Bishop Marty, A. L. Riggs of the Presbyterian, Protestant Episcopal, Roman Catholic, and Congregational Churches, respectively, established schools. John P. Williamson, a Presbyterian missionary, had a school at Crow Creek in 1863. One of the earliest schools operated by the government was at Kenel, South Dakota, which was opened in 1879.

Who is responsible for providing educational opportunities for Indians?

According to the Fourteenth Amendment to the Constitution and the language of the South Dakota Constitution, the responsibility for educating all children is a state function. Even though the legal responsibility for educating Indian children rests with the state, the Bureau of Indian Affairs provides educational facilities. The facilities are made available because of the Federal-Indian relationship created by early treaties which made provisions for educational facilities and opportunities for Indians. Even though the time periods set forth in the treaties have expired the Bureau of Indian Affairs continues to provide facilities because of certain "moral obligations", and tax-exempt Indian property. The present policy of the Bureau of Indian Affairs is the termination of federal services, and when local facilities can handle the Indian school enrollments the government schools will be closed. Closing the federal schools too rapidly, even though the responsibility of educating children rests with the state, would create a financial problem that the local districts could not bear. Fortunately, because the Federal Government, denominational groups, and public schools provide educational facilities, all of the Indian children in South Dakota have educational opportunities.

What type of schools does the government provide?

The Federal Government provides boarding and day schools for approximately forty-five percent of the school-age Indian children in South Dakota. At present there are three federal reservation boarding schools, two non-reservation boarding schools, and thirty-one federal day schools.

What is the difference betweeen a boarding school and a day school?

The federal boarding school is a school at which the student lives during the school term, and while he is in attendance at this school he is provided with free room, board, and other necessities. The federal day school is comparable to the rural public school where the children live at home and attend school each day. The federal day and boarding schools are built and staffed by the Bureau of Indian Affairs.

What is the difference between a reservation and a non-reservation boarding school?

A reservation boarding school is a school located on an Indian reservation to serve the Indian children of that particular reservation. A non-reservation boarding school is a school that serves children from an extensive area covering a number of states. In South Dakota there are three reservation boarding schools, which are located at Cheyenne River Agency, Pine Ridge Agency, and Mission. The two non-reservation boarding schools in South Dakota are located at Pierre and Flandreau.

What criteria determine who may attend a boarding school?

In order to attend a federal boarding school a child must be at least one-fourth Indian and meet certain criteria. The criteria enabling one to attend a reservation boarding school involve not having any other school facilities available, or living under circumstances that may create a social problem .To attend a non-reservation boarding school a child must be in one of the following categories: a dependent child coming from a broken home for whom no desirable foster home can be found, home too far to be served by a public or federal school, and home conditions that might lead to or create delinquent tendencies.

If government schools are not available where do Indian children attend school?

In South Dakota an Indian child may attend a public school if one is available, or parents may, if they so desire, send their children to a private or parochial school.

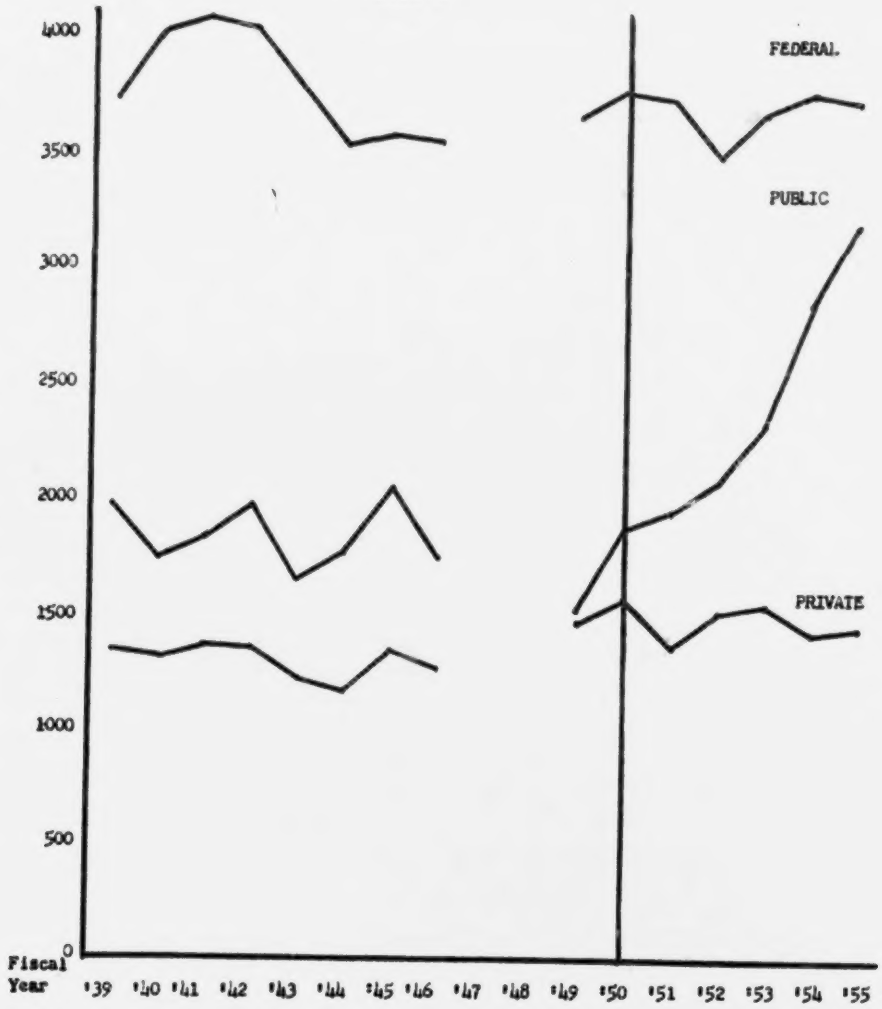
How many Indian children attend school in South Dakota?

During the 1954-55 school year there were 8339 Indian children attending school. Of the total number, 3707 (44.4 percent), attended federal schools; 3200 (38.4 percent attended public schools; and 1432 (17.2 percent) attended private and parochial schools. During recent years the Bureau of Indian Affairs has attempted to place as many Indian children in public schools as possible. The following two charts show the trend of Indian enrollments. Some of the reasons· more Indian youngsters are attending public schools is because of the migration of Indian people to off-reservation communities, the closing of federal schools, and the desire of Indian parents to send their youngsters to public schools.

INDIAN SCHOOL CHILDREN IN SOUTH DAKOTA

In the State of South Dakota Indian children attend public, private, and federal schools. The following chart shows the number of Indian children enrolled in public, federal, and private schools in South Dakota from Fiscal Year 1939 to Fiscal Year 1955. There was no information available for Fiscal Years 1947 and 1948. The first year that the Johnson O'Malley program began in South Dakota was Fiscal Year 1950, this is represented by the vertical line.

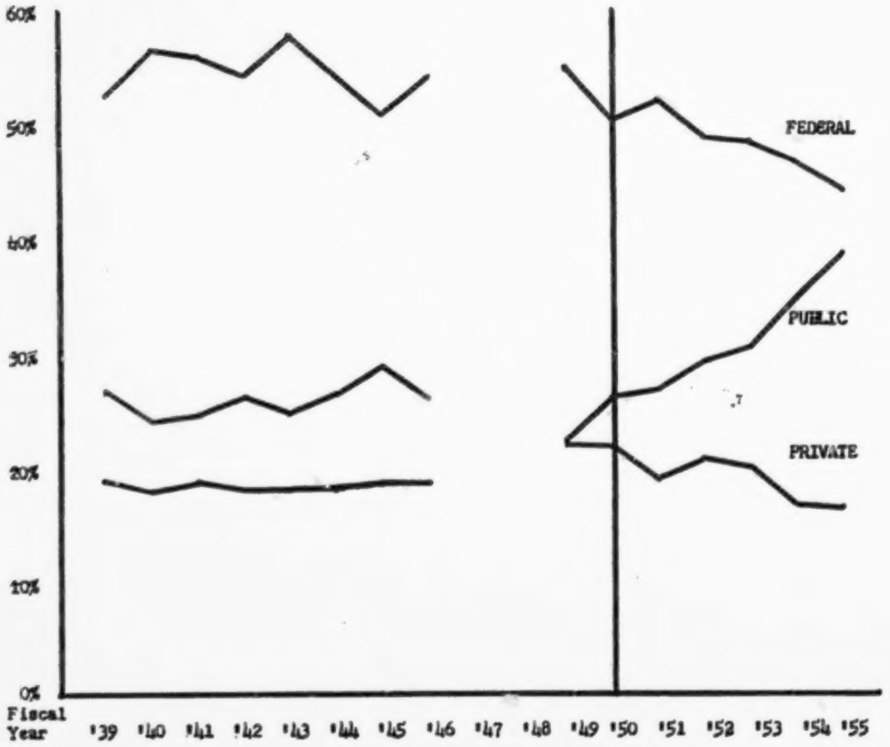
CHART I



INDIAN SCHOOL CHILDREN IN SOUTH DAKOTA

The following chart shows the percentage of the total number of Indian children enrolled in each of the various types of schools from Fiscal 1939 to Fiscal 1955 except Fiscal 1947 and Fiscal 1948.

CHART II



What denominations provide educational facilities for Indian students?

There are three denominations that provide school facilities for Indian children. The Bresinda Methodist Church operates Brainerd Indian School near Hot Springs, South Dakota. The Roman Catholic Church provides more educational facilities than any other group. There are seven Roman Catholic schools for Indian students. Two of the schools, St. Joseph's at Chamberlain, and Tekwitha at Sisseton, are orphanages which provide eight year programs. One of the schools, Our Lady of Lourdes, is an elementary school on the Pine Ridge Reservation. The other four schools are Marty Mission, Marty; Holy Rosary Mission, Oglala; St.

Francis Mission, St. Francis; and Stephan Mission, Stephan. The Protestant Episcopal Church operates two boarding homes and one boarding school. Bishop Hare Home for Boys is located at Mission, and St. Elizabeth's Mission is a boarding home for both boys and girls, and is located at Wakpala. St. Mary's at Springfield is a boarding school for girls. The boarding schools of all of the denominations provide twelve year programs with the exception of Brainerd Indian School which provides an eleven year program.

How does the Federal Government assist public schools?

The Federal Government financially assists public schools in areas where there is tax-exempt Indian-owned land. Tax-exemption was one of the treaty stipulations that has been rather strictly followed by the Federal Government. In the local school districts on the reservations a problem is created because the owners of taxable property pay the costs of operating schools, and land of comparable value owned by Indians does not provide tax money even though the Indian youngsters attend the public schools. Congress recognized that a problem existed, and felt that the Federal Government should bear some of the responsibility in reservation areas by supplementing the tax base. In 1934 the Johnson O'Malley Act was passed. This law authorized the Secretary of Interior to make contracts with subdivisions of government for services rendered to Indians. The State Superintendent of Public Instruction in South Dakota signed a contract with the Department of Interior in 1949. The funds are used for the partial reimbursement of instructional services, and for the payment of the cost of lunches, special milk programs, and transportation.

Does the Federal Government assist the parochial schools in any way?

Financial aid is made available to the parochial schools by the Federal Government. The aid is not payment for instructional services, but payment for the cost of board and room for needy Indian children. The Catholic schools at St. Francis, Oglala, and Stephan receive this aid.

What type of educational program is offered by the three different systems?

Each of the three systems, federal, public, and parochial, provide the basic program outlined in the South Dakota Course of Study. Every school, in each system, must have teachers certified by the State Superintendent, and be accredited by the Department of Public Instruction. The standards of the federal, public, and parochial schools do not vary a great deal because all are compelled by law to follow the South Dakota Course of Study. The public schools provide the type of program that can be adequately supported by the tax base of the districts. As a result, some schools barely meet the requirements for accreditment, while districts with better financial support have a very extensive curriculum. The schools operated by the Bureau of Indian Affairs stress vocational courses and the use of local resources in addition to the required academic program. The parochial schools provide curriculums similar to the federal schools and some of them have very extensive vocational programs. The parochial schools also emphasize the teaching of religion.

Are facilities for educating Indian children adequate?

Crowded schools and the inadequacy of educational facilities on the reservation are not much unlike the problem faced throughout the United States. Almost without exception Indian children of school age in South Dakota are in school. The unfortunate aspect of the school problem seems to rest mainly with schools of the boarding school type. All of the government boarding schools are handicapped by the fact that Congress does not provide enough funds to build adequate dormitory and classroom facilities.

Far too many Indian children are crowded into large dormitories where the youngsters must wait in line to use toilet facilities, sleep in one large room, and have inadequate recreational facilities. In these overcrowded, outmoded, old fashioned, and inadequate dormitories youngsters are deprived of the right to any privacy. Few of the youngsters own anything tangible, for things are easily lost when there are no lockers or dressers. Recreation facilities are wholly inadequate, and a lack of facilities for play programs cause many youngsters to run away from school. The boarding schools are sometimes used by law enforcement and school officials as "detention homes" for youngsters who are considered delinquents. In many instances, the old adage of the "bad apple in the barrel spoils the other apples" can be applied to some of the youngsters who are sent to boarding schools. The boarding schools and the staff of the schools are not designed or trained to take care of delinquent children. Children and education are the most important ingredients for solving the Indian problem, but inadequate and outmoded school facilities will increase and promote the depressive economic and social conditions on the reservation.

What is the long range program for Indian education?

According to our American system of education there is little need for the Federal Government to operate a school system independent of the public school system provided by a state. The Bureau of Indian Affairs has recognized this principle, and a long range program has been developed for the discontinuation of federal schools as rapidly as the children can be integrated into the public schools. It may take many years to accomplish this goal because of opinions, prejudices, and the geographical isolation of some areas.

Has there been any progress in, or accomplishments of, the long-range program?

The placing of Indian children in public schools is of primary importance to people who are interested in the cultural advancement of Indians. Partly as a result of this attitude many federal schools have been closed, and Indian children are being sent to public schools or being placed under the supervision of public school teachers. At one time there was a total of sixty-two day schools in South Dakota —thirty-one now remain. The high school section of Rosebud Boarding School has been closed, and the students are attending the public high school in Mission. There are no federal day schools in operation in Todd County, which lies within the second largest Indian reservation in South Dakota.

What are some of the problems of Indian education?

The educational problems do not differ greatly from the problems of the general educational program in the state and Nation. It is true that there are some problems peculiar only to Indian education. These problems are listed below and are briefly discussed. It must be remembered that some of these problems would not exist in the field of education if problems in other fields, such as law and order, health, economy, and social welfare, were alleviated.

Migrant Workers: Each fall and spring while school is in session Indian people leave South Dakota seeking seasonal employment. This greatly affects the education of the Indian child. The majority of these children do not have an opportunity to attend school while their parents work in other states. The children begin their schooling from one week to three months after the school term starts, depending on when the Indian family returns to South Dakota. Children affected by a number of these journeys to the harvest fields become greatly retarded in school.

Non-attendance and chronic absenteeism from school: Poor school attendance is a major school problem with Indian people. There is little stimulation given children by their parents on the value of an education or the importance of regular school attendance. The Indian child often comes to school utterly disregarding time. If a lunch program is operating in the school a child may not attend school until shortly before lunch is served. The Indian child is not fearful of the results of non-attendance, and few parents are fearful of serving jail sentences for not complying with the compulsory school attendance law.

Drop outs: During the course of the school year many Indian children seem to disappear from school. Perhaps they have left a public school to enter a federal or church school, but for the most part they just seem to disappear. Many children leave a local community and enter a city where they become lost in the multitudes. Some children just simply quit school—they quit because they do not like to go to school, because they are retarded, and being retarded, their size and age in comparison with the rest of the class causes self-embarrassment.

Compulsory school attendance law enforcement: Due to lack of time, money, and personnel, the compulsory school law is not satisfactorily enforced.

Segregated schools: The process of integration, acculturation, and assimilation of the Indian into the present way of living is hindered by the fact that about sixty percent of the Indian children attend segregated schools. These segregated schools do not give the Indian child the opportunity to learn competitive methods from White children needed to live in our present day society. The segregated school perpetuates Indian mannerisms and reticence.

Non-taxable Indian land: The presence of large tracts of tax-exempt Indian land definitely affects the financial condition in public school districts. In South Dakota most of the revenue for school purposes comes from the property tax in the local district, and when a district contains Indian land the tax-base is greatly reduced.

Non-English speaking students: Many Indian children in isolated areas begin school without any knowledge of the English language. This greatly handicaps their progress, and creates a problem for the classroom teacher.

Terminating school at an early age: Many Indian children confronted with the above mentioned problems become so greatly retarded that they quit school. This problem exists also in education throughout the Nation, but is especially critical concerning Indians because education is one of the few avenues to self-sufficiency.

Where do Indians attend school for post high school education?

Many of the Dacotah young people who graduate from the federal schools attend the Indian vocational school at Haskell Institute, Lawrence, Kansas. Others attend the college of their choice if they are interested in academic training. Graduates of the parochial schools generally attend colleges sponsored by their faith or attend Haskell Institute or other trade schools. Public school graduates also attend college, or take vocational training at trade schools or at Haskell Institute.

What problems confront the Indian person who attends college?

The problem of singular significance that faces the Indian scholar is financial. The limited resources of the reservation do not enable an Indian parent to provide the finances for a college education. Other problems are similar to those confronted by all students and are usually overcome. The student often fears discrimination which he has experienced on his reservation or in surrounding towns. Usually discrimination is nonexistent with his associates in a college town.

How do Indian students finance their education?

With few exceptions Indian students must borrow money to attend college. The money for loans comes from a revolving fund made available by the tribes or the Federal Government. The students borrow as much as five hundred dollars a year which is to be repaid at easy terms with low interest. Security for these loans is in the form of trust property of the borrower or the borrower's parents, or anyone willing to co-sign for the borrower.

Do Indians have any other sources through which they can obtain needed finances?

A few individuals and organizations provide scholarships and grants for Indian students. The South Dakota Legislature took an unprecedented step in 1949 by providing scholarships for Indians in state institutions of higher learning. This has greatly benefited Indian students and provided an additional incentive for the furtherance of higher education among Indians. The scholarships made available in 1949 numbered thirty; the 1951 legislature increased the number to fifty. In 1955 there were enough Indian students attending college to use all fifty of the scholarships. In addition to the fifty recipients twenty-two were unable to get scholarships.

HEALTH PROBLEM

Is there a health problem on South Dakota Indian reservations?

There is a health problem on the South Dakota Indian reservations. The health problem is closely related to the economic and social status of the Dacotah people. The majority of the Dacotah people live in marginal circumstances with substandard housing, inadequate diets, poor sanitation (personal and environmental), undesirable and inadequate water supplies, and lack of knowledge of disease prevention. The overcrowding in the reservation homes aids the rapid spreading of cummunicable diseases; the water supply for cooking and drinking is taken from rivers and dams that are often polluted, or wells, when not satisfactorily protected, easily become contaminated. The health situation is further aggravated by cultural concepts that define sickness from an Indian point of view, lack of knowledge about the germ theory of disease, insufficient labor demands, and the inability of unskilled people to obtain funds to purchase foods needed to prevent dietary deficiencies.

What is being done to combat this problem?

Health services are made available to Dacotah people through the Public Health Service Hospitals located on or near the reservations, or if no hospitals are located on a reservation facilities are made available through contractual agreements between the Public Health .Service and certain local hospitals. Other health services for Indian people, such as care for the mentally ill, deaf, mute, and mentally retarded are available in institutions supported by the State of South Dakota. Preventive services are made available by public health teams being placed on all of the major reservations. These teams are composed of a field health doctor, one or more public health nurses, and one or more Indian sanitarian aides. These public health teams in cooperation with the tribal health committees will provide educational programs, and work on the underlying conditions that are the cause of many of the health problems. The tribal health committees will help define the health problem on the reservation, and technical assistance will be obtained from the Public Health Service and the State Health Department. With the common aim of improving health and sanitation problems in the communities these agencies can do much to eliminate the Indian health problem.

Who is responsible for providing health services to Indians on the reservation?

The Bureau of Indian Affairs provided health services for Indian people until July 1, 1955. On that date the Indian Health Service, Bureau of Indian Affairs, Department of Interior, was transferred to the Department of Health, Education, and Welfare, Public Health Service. This transfer came largely as the result of governmental policy to coordinate the activities that were being duplicated by another agency, and also because many states and voluntary agencies were of the opinion that the Public Health Service could provide better medical services than the Bureau of Indian Affairs.

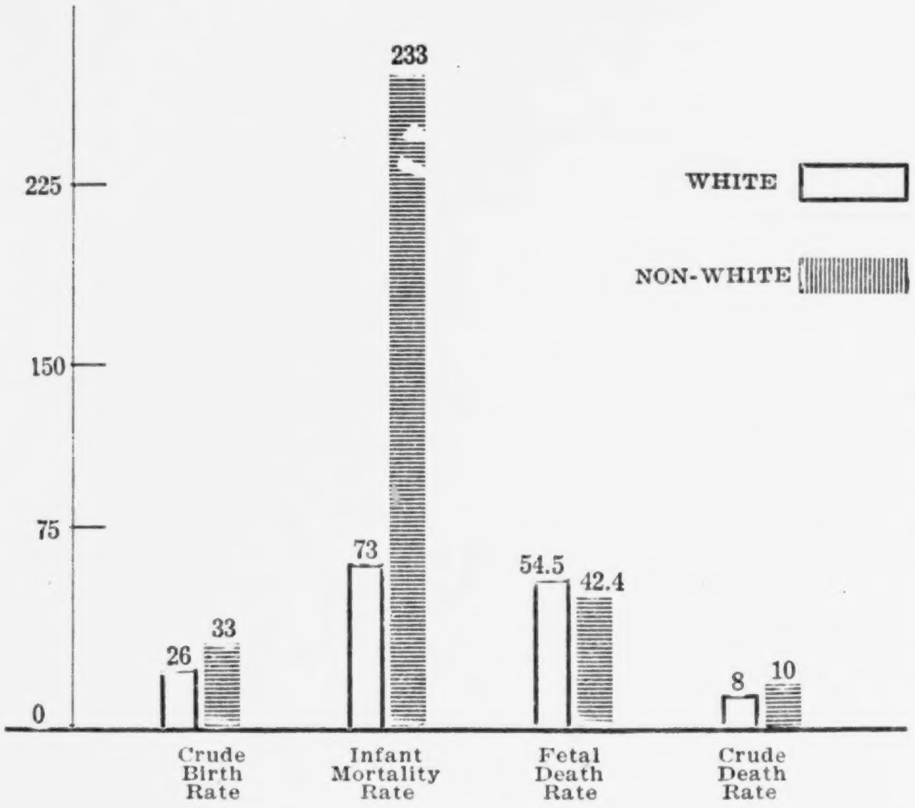
What are some of the health problems affecting the Dacotah Indians?

The health problems that exist on the reservations today are comparable to those that existed among the general population from 25 to 50 years ago. The most common diseases that afflict the Indian people on the reservations are those that can be prevented or controlled among the general population. To illustrate this point, tuberculosis ranked third among the ten most common causes of death among the Indian population in South Dakota in 1954, while it ranked seventh among the general population. The following tables and charts are further illustrations of the health conditions that exist on the Indian reservations.

Leading Causes of Death in South Dakota
in
1954

White	**Non-White**
1. Heart Disease	1. Accidents
2. Cancer	2. Heart Disease
3. Vascular Lesions	3. Tuberculosis
4. Accidents	4. Cancer
5. Pneumonia	5. Pneumonia
6. Diabetes	6. Vascular Lesions
7. Tuberculosis	7. Gastro Enteritis
8. Nephritis	8. Diabetes & Meningitis
9. Influenza	9. Diarrhea of newborn
10. Meningitis	10. Nephritis

MORTALITY RATES OF INDIANS AS COMPARED TO THE GENERAL POPULATION



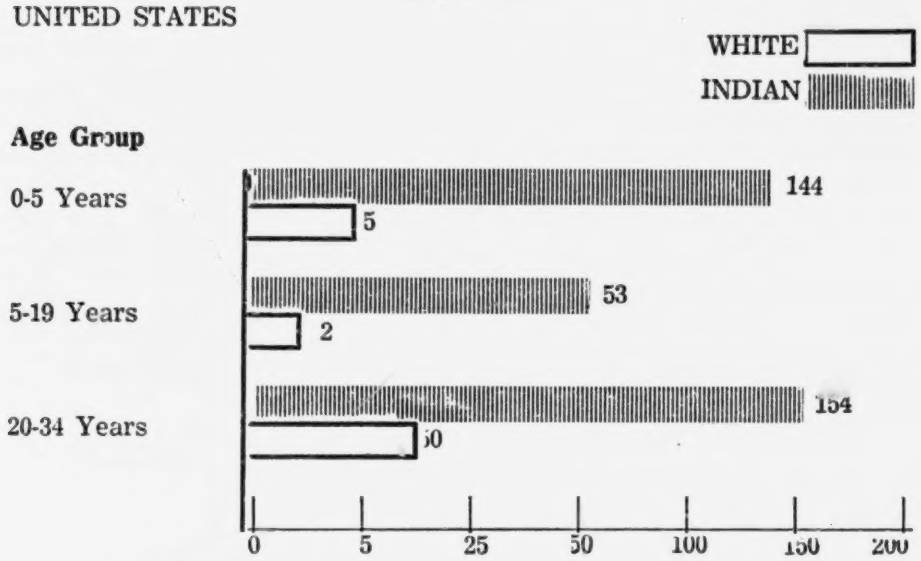
The **Crude Birth Rate** is actual number of births per 1000 population

The **Infant Mortality Rate** is the number of deaths under one year of age per 1000 live births

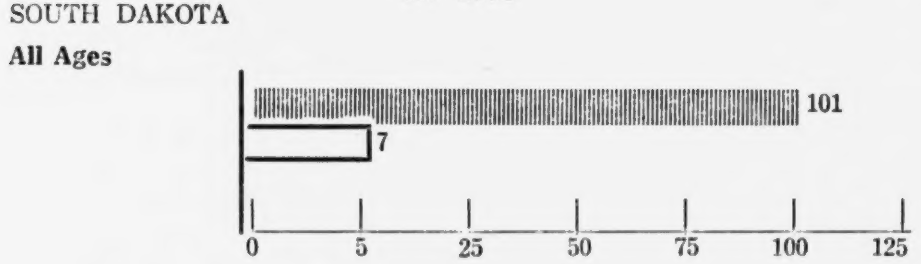
The **Fetal Death Rate** is the number of fetal deaths per 1000 live births

The **Crude Death Rate** is the actual number of deaths per 1000 population

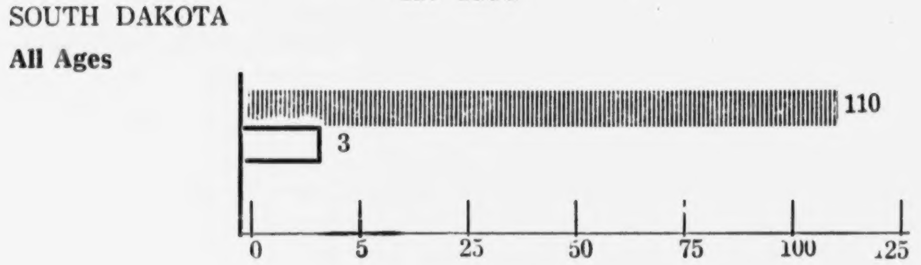
TUBERCULOSIS DEATHS IN THE UNITED STATES PER 100,000 POPULATION IN 1950



TUBERCULOSIS DEATHS IN SOUTH DAKOTA PER 100,000 POPULATION IN 1953



TUBERCULOSIS DEATHS IN SOUTH DAKOTA PER 100,000 POPULATION IN 1954



WELFARE PROGRAMS AND RELATED SERVICES

Did the Dacotah people, in their native state, have any form of "welfare program"?

In the early society of the Dacotah people their communal culture provided for those who could not care for themselves. Prestige was measured by what one gave away, rather than by what one accumulated. As a result, wealth was not concentrated in the hands of a few, leaving others destitute. The training given young people emphasized the values of sharing and sacrifice; generosity and hospitality were stressed. Because of this training and the importance of the kinship relationships, there were no dependent or neglected children. Women were looked upon as "mother", in the generic sense of the word, and each woman felt a responsibility to any child that needed care. The crippled, feebleminded, and otherwise handicapped were not ridiculed or exploited.

Do cultural concepts create welfare problems today?

There is frequent evidence today that the lives of many people are influenced by the traditional Dacotah values and cultural concepts. Too often the "old way" and the "White man's way" are incompatible. For example, an old Indian man may use a large sum of money, which he may have received from the sale of his allotted land, in a short space of time for the support of friends and relatives. He is then in need of financial assistance himself. From the White man's point of view the Indian has failed to manage his money properly, but from the Dacotah point of view he has gained prestige through his generosity and sharing. He has also had the privilege of sharing with his friends and relatives.

An Indian mother may be criticized for leaving her children with relatives, and at the same time the relatives may be criticized for taking the children and relieving the mother of her responsibility. From the standpoint of the Dacotah culture they are following a pattern that is traditional and acceptable.

The termination of such beliefs does not come rapidly. These ancient concepts are gradually dying with the older generations. Meanwhile, young Indian people must be trained in the present, dominant society.

What welfare services are made available to the Indians in South Dakota?

Welfare services that are made available to Indian people could be classified into two categories; governmental and private agencies. The governmental agencies that provide welfare services are the Department of Public Welfare, The Bureau of Indian Affairs, Division of Vocational Rehabilitation, Service to the Blind, the County Commissioners, Federal School Lunch and Direct Distribution Programs, Tribal Councils, and many others. Private agencies include church groups that provide community centers for off-reservation Indians, and church schools for Indian children.

What services are made available by the State of South Dakota?

The Department of Public Welfare provides services through two divisions: the Division of Public Assistance and the Division of Child Welfare. Services are provided on the same basis to Indians and non-Indians.

The Division of Public Assistance provides financial assistance and related services to all persons who meet eligibility requirements for Old Age Assistance, Aid to Dependent Children, Aid to the Blind, and Aid to the Disabled. In addition, the Division of Public Assistance cooperates with other state and federal agencies in providing a variety of welfare services to the community. For example, a worker in the Division of Public Assistance might be working with staff members of the Division of Vocational Rehabilitation, the Department of Health, or other agencies in assisting a family to return to economic and social usefulness. Services beyond the actual administration of financial assistance are made available with the conviction that the state can best be served if as many needy people as possible are helped to become productive members of the community.

The Division of Child Welfare provides for the protection and care of children who are homeless, dependent, abused or neglected, in danger of becoming delinquent, or born out of wedlock; and provides services to the unmarried mother. These services are provided on an equal basis to all children regardless of race.

In actual practice, a worker from the Division of Child Welfare works largely with the Indian child and his family off the reservation (the Bureau of Indian Affairs claims no responsibility for Indian people who have moved away from the reservation); while the social worker with the Indian Service serves children on the reservation. The Indian Service social workers may, however, request the cooperation of the Division of Child Welfare in making plans for a child when necessary, or when suitable plans cannot be made on the reservation; likewise, the Child Welfare Worker may enlist the help of the Indian Service Social Worker for finding a resource for a child on the reservation.

On April 1, 1955, the Department of Public Welfare entered into a contract with the Bureau of Indian Affairs for foster home care. The funds from this contract are used by the Division of Child Welfare to provide services for Indian children who have residence on tax-exempt land. This contract and the ensuing arrangements have stimulated cooperative planning and helped to develop uniformity in policy and plans between the Department of Public Welfare and the Bureau of Indian Affairs.

What services are provided by the Indian Service, Branch of Welfare?

Indians, being citizens, are entitled to welfare services on the same basis as all other citizens. However, in reservation areas where the tax base has been reduced by the presence of tax-exempt Indian land it is necessary for the Bureau of Indian Affairs to provide financial assistance to some Indians. Indian agencies have funds for general assistance to needy reservation Indians not eligible for public assistance, for burial when necessary, and for foster care of children. In some cases State Child Welfare Workers give the services for reservation Indian children in foster care, with the cost of the care provided through a contract between the Bureau of Indian Affairs and the State Department of Public Welfare. In other cases, because the state does not have enough Child Welfare Workers, Bureau of Indian Affairs Social Workers place children in foster homes on the reservation, and make arrangements directly with the foster mothers for payment and for services which are needed. Services for foster home care for Indian children have greately increased in the past several years.

Social workers also help Indian people with many other problems. Their aim is to help Indians reach the point where they fully assume the same responsibilities as other citizens, and are accepted as eligible for the same benefits and privileges. Where special services are still required they are provided, as far as possible, with the small staff available. For instance, they make recommendations for boarding school enrollment when the child has to be placed in such an institution because of his home situation rather than for educational reasons, and they review the home situation periodically to make sure that children are not kept in institutions when they could be with their own families; where children do not have a home to which they can return in the summer, the social workers make other plans for them. Where children without legal guardians have funds of their own the social workers help plan the use of this money. They also frequently give guidance to adults who lack the education or experience to handle their financial affairs wisely. They work cooperatively with the U. S. Public Health Service on problems connected with medical care; for example, they may help arrange care for children so the mother can enter a sanatorium, or they may help a person who is afraid of an operation talk about his fears and worries and reach a decision as to what he should do about his situation. They help Indians to understand and use services of other community agencies, such as Public Assistance or Vocational Rehabilitation. They also give counseling and assistance to Indians on many other personal, social, and economic problems, and they assist other branches of the Bureau of Indian Affairs in planning where the welfare of Indians is affected.

Since there is usually only one social worker on each reservation to provide all these services the amount of service which can actually be provided is much less than is needed.

What welfare services are provided by the Tribal Councils?

All of the tribal councils on the reservations in South Dakota provide welfare services in varying degrees. Some of the councils appoint "welfare committees" and "welfare workers" for the different districts and communities on the reservation. The responsibility of the "welfare worker" is to see that cases of need are reported to the proper authorities so assistance can be made available. Almost all of the tribal governments in South Dakota receive revenue from tribal land. This revenue, in many cases, is used for welfare purposes by providing general relief assistance to people who neither qualify for state or Bureau of Indian Affairs general assistance; purchasing surplus buffalo, elk, and other game from State and National Parks; and paying the freight on surplus commodities. Some of the councils provide excellent services for welfare purposes, while others are limited because of inadequate finances.

What welfare services are provided by the county commissioners?

Dacotah people who have established legal settlement in counties off the reservation are entitled to county poor relief on the same basis as any other citizen. The responsibility for providing general assistance for needy people rests with the county and the county commissioners. Many counties have met their responsibility by providing funds to pay transportation costs for surplus commodities that are distributed to needy citizens. Sometimes problems arise in counties that have large Indian populations and inadequate tax bases. County commissioners in these counties are often reluctant to accept the responsibility for providing services to Dacotah people. This is the result of a higher rate of dependency among the Dacotah people, and the commissioners fear that general relief funds expended for Indian people will drain their resources to the extent that they will be unable to give assistance to anyone else. In addition to this, there are some commissioners that still believe that Indians are wards of the government, and therefore the responsibility of the Federal Government. In some instances, the county commissioners will provide transportation back to the reservation for the needy Indian rather than provide him with general assistance.

If Dacotah people are living on the reservation the county commissioners assume that the Indian Service will provide whatever assistance is necessary. As a result of attitudes and confusion the matter of general assistance poses a real problem—not only for the person in need, but for the people who administer such programs.

Are surplus commodities made available to Indian people?

Products that are declared surplus by the United States Department of Agriculture are purchased by the Commodity Credit Corporation. These surpluses in turn are made available to state agencies for distribution to schools and welfare agencies. Through this process of distribution Indian people are recipients of surplus commodities. The surplus commodities are directly distributed for general assistance purposes by Tribal Councils, and Bureau of Indian Affairs governmental subdivisions. Government and parochial schools that provide educational facilities for Indian children are also eligible for surplus commodities.

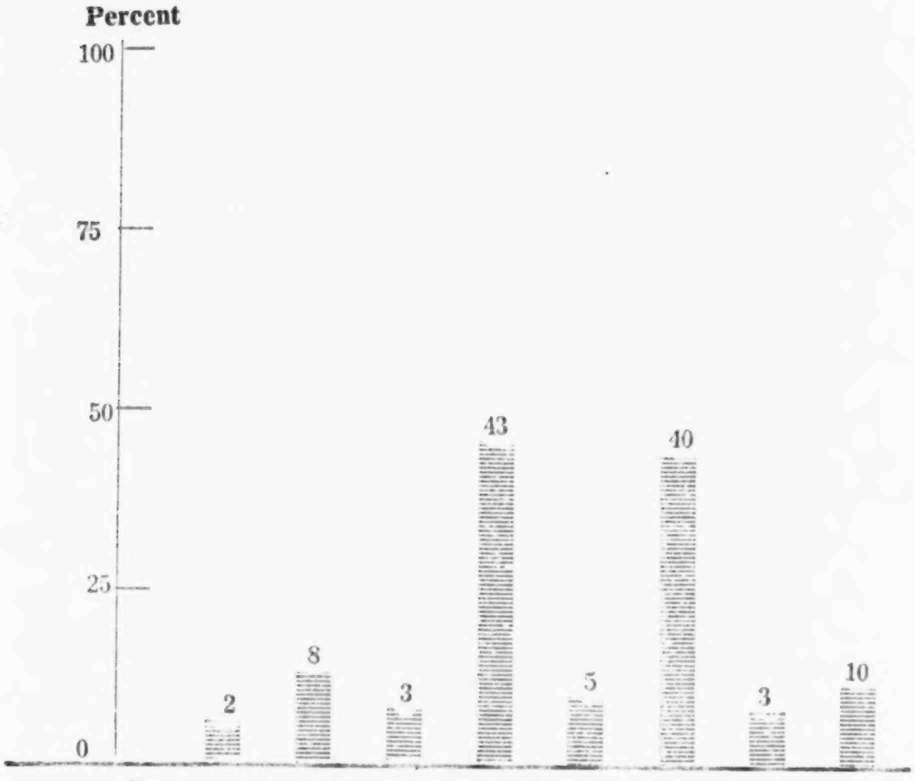
The surplus commodities that the Indian people have received include dairy, meat, and cereal products. Indians living off the reservation receive commodities through the general assistance program provided by the county.

What are the problems connected with the administration of welfare programs among Indian people?

A major problem in the administration of financial programs among Indian people is related to the low economic level of most Indian families. According to the 1950 Census, the average annual income for White persons over fourteen years of age was $1745 as compared with $597 for the non-White. These conditions create situations in which the Indian recipients of public assistance form an aristocracy by being in positions of advantage because they receive a definite sum of money regularly, which is theirs to spend as they choose. Associated with this "aristocratic concept" is the "buffalo hunt" economy with its emphasis on generosity and concern for family members and other relatives. While generosity in itself is admirable, the "giveaway" is difficult to justify because of the conflicts with our present day economy which emphasizes self-support and saving for the future. The root of many of the social problems existing today on the reservation is a cultural stalemate, created by the changes and adjustments Indian people must make between the old nomadic culture and that of "White" civilization. Old standards have been broken down, but acceptable standards have not replaced them. The resultant behavior, quite naturally, is a higher rate of out-of-wedlock births, instability of common law and Indian custom marriages, irregular work habits, and an inability to assume family responsibility. Many of these social problems could be resolved if the Department of Public Welfare had sufficient staff to provide services to Indian families that would make them an integral part of the community. In addition to this problem, it must be recognized that some Indian children live in doubtful home situations. Problems that face this type of child include the lack of an established home, promiscuity, physical neglect, irregular school attendance, shifting from one family group to another, and health hazards such as active tuberculosis in the home. Aid to dependent children goes into some questionable homes, but if this aid was not available there would be nothing to improve the family situation. Neither the Department of Public Welfare nor the Bureau of Indian Affairs has sufficient staff to evaluate the homes of needy children, or to find substitute homes when they are needed.

The statistical information on the following pages gives one an idea of the number of Indian people who are receiving public assistance.

*COMPARISON OF THE PROPORTION OF NON-WHITE IN THE POPULATION 1√ AND THE NON-WHITE RECEIVING PUBLIC ASSISTANCE 2√



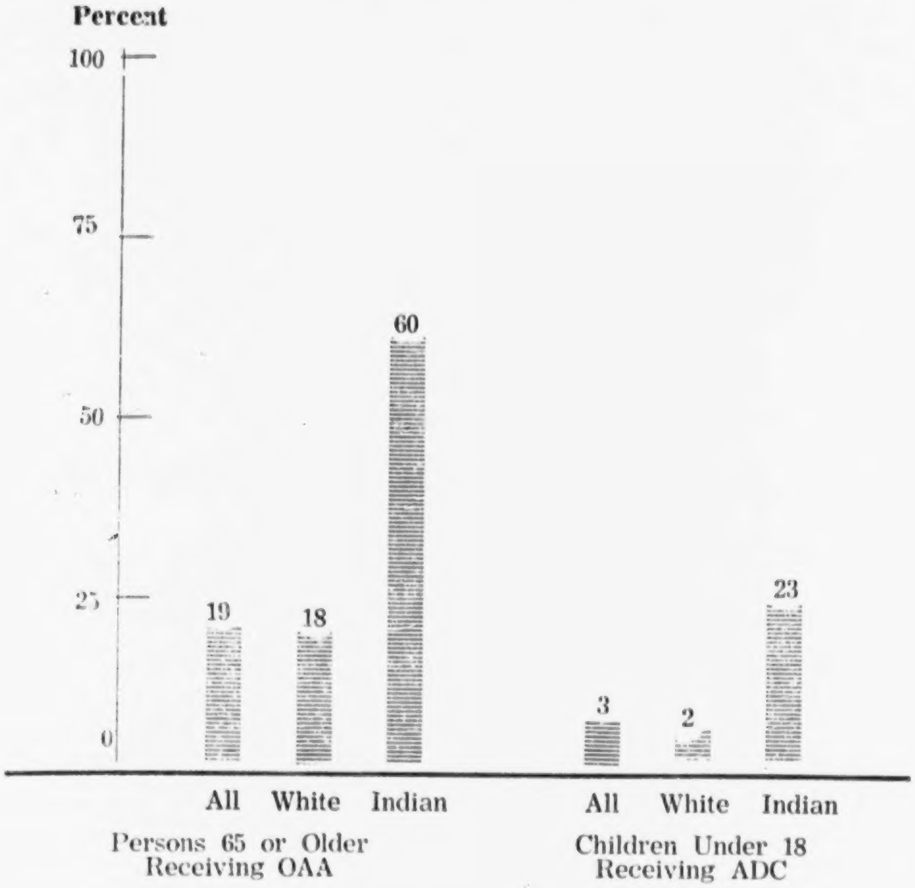
1√ U. S. Census, 1950
2√ September, 1955
3√ 65 or over
4√ 18-64
5√ Under 18
6√ Children

*This chart represents the non-White population in South Dakota that receives Old Age Assistance, Aid to the Blind, Aid to Dependent Children, and Aid to the Disabled in comparison to the population represented in each category. For example, two percent of the population over 65 years is non-White, and of those receiving Old Age Assistance eight percent are non-White.

PORTION OF POPULATION RECEIVING OLD AGE ASSISTANCE OR AID TO DEPENDENT CHILDREN

By Race

September, 1955*



*Based on 1950 census population data.

LAW AND ORDER

What type of law enforcement was used by the Indians before the coming of the White man?

Before the coming of the White man the Indian did not have to contend with thousands of state and federal laws as he must today. The control of individuals rested largely with a personal recognition of customs, religious practices, and social values. Fear of ridicule controlled the actions of tribal members, and the possibility of being temporarily or permanently exiled from the camp circle prevented the violation of tribal rules. Certain "soldier societies" among the warriors were responsible for the control of the actions of tribal members while in the camp or during the chase. The punishments resulting from a violation of customs and practices of a tribe were left to the warriors serving in a policing capacity. The obedience of individuals was extremely important to the well-being of the group for survival, and justice was sometimes swift and drastic when an individual imperiled the security of the camp or the hunt.

What is the legal status of the Indian in relationship to state and federal laws?

The Indian, as a citizen, is subject to the same state and federal laws as any other citizen. On the reservations, however, there is a veil of uncertainty on jurisdiction between state and tribal governments because of concurrent jurisdiction.

With the conflicts of jurisdiction in mind, are there specific areas in which these various agencies can enforce laws?

In 1901 the State of South Dakota through Legislative action ceded jurisdiction to the Federal Government to punish and prosecute all crimes in Indian Country. On February 2, 1903, the Federal Government accepted jurisdiction of only eight major crimes; murder, manslaughter, rape, assault with intent to kill, assault with a dangerous weapon, arson, burglary, and larceny. In 1932 Congress provided that two more crimes, incest and robbery, be added to the list of the original eight, and that they would be under the jurisdiction of the Federal Government. In 1948 the United States Code was revised to include incest and robbery, and provided that federal jurisdiction covered these ten major crimes only if committed in "Indian Country" by or against an Indian. This 1943 revision defined Indian Country as any piece of Indian land no matter where located; land within the limits of an Indian reservation whether patented or not; right of ways running through Indian reservations; all dependent Indian communities no matter where located; and all Indian allotments and right of ways going through them. The Federal Government, therefore, has exclusive jurisdiction over the ten crimes aforementioned. The State's police power, as defined by the Constitution and state laws includes every citizen of the State of South Dakota. Indians are citizens as the result of the Act of June 2, 1924, and are, therefore, under the jurisdiction of the State with the exception of jurisdiction that is pre-empted by the Federal Government. It is the contention of many lawyers who have studied the problem of law enforcement in relation to Indians that the Law Enforcement Division of the State of South Dakota has jurisdiction to punish crimes, other than the ten major crimes and other crimes not pre-empted by the Federal Government, on Indian reservations. However, because of the concurrent jurisdiction that the state and the tribal governments have on the reservations, the enforcement of law is often left to the tribal councils. The State does not desire to have the complete responsibility for enforcing laws on the reservation because the vast areas involved would require considerable expense. This position is further enhanced by the fact that Indian property that is held in trust by the Federal Government is not subject to taxation. Tribal governments claim that they have retained enough of their original sovereignty, which has been upheld by court decisions, to maintain a court system. Based on this assumption tribal governments claim to have jurisdiction over everything but the ten major crimes.

Do Indian people receive adequate police protection on the reservation?

The question of the adequacy of police protection on the reservation could very well be argumentative. The efficiency of the tribal court system may well be questioned because of the lack of training in the field of law by tribal officials. The State, in leaving the enforcement of law to the tribes, has done so because it would necessitate training more personnel, require additional funds, and involve policing large areas. Ironically, the tribal groups face the same problems, but do not have the experience or the machinery that the State does to initiate an adequate police force. The adequacy of police protection on the reservation can be measured by the finances available to the tribe for police protection. Some tribal councils spend considerable money for law enforcement while others do not have the money available.

What legal problems concern Indian people on marriage and divorce?

Tribal codes make provisions for marriage and divorce laws. The State of South Dakota recognizes marriages of Indian people under tribal customs which are conducted by tribal officials. There is some question, however, of the validity of divorces granted by tribal courts when the Indian couple was married by an official conducting the ceremony in accordance with state laws. Questions on the legality of tribal court decisions on divorce also arise when, for example, a wife is granted a divorce by a tribal court and is awarded custody of a child, and the husband seeks and is granted a divorce through a state court and is awarded the custody of the child.

Is an Indian subject to the game and fish laws of the State of South Dakota?

An Indian is subject to the game and fish laws in South Dakota on the same basis as any other citizen with the exception of Indians hunting and fishing on an Indian reservation. Treaty provisions gave Indians hunting and fishing rights on the reservations, and after the lands on the reservations were alloted to individual Indians the tribal councils made provisions for regulating hunting and fishing. All of the reservations require that permits to hunt and fish be obtained from the tribal council. A nominal fee is charged for the permit to hunt or fish. The State Department of Game, Fish, and Parks has, more or less, a "hands off" policy regarding game and fish laws on tribal and alloted lands. Arrests have been made by state game wardens in cooperation with tribal wardens, and violators have been convicted in tribal courts. The right to hunt and fish is important to the economic well-being of the Indian. Game animals, such as deer, are an extremely important part of the diet of many Indian people during severe winter months.

Does the Indian pay taxes?

The Indian pays all the taxes any other citizen does with one exception. This one exception is the payment of taxes on land that is held in trust by the United States Government. The contribution of taxes of the Indian is limited because of the distressed economic condition of the majority of the Indian people. A popular misconception about Indians is that they do not pay any taxes—this is entirely false.

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